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The Solicitors' Journal.

LONDON, DECEMBER 12, 1874.

CURRENT TOPICS.

THE DECISION OF THE COURT OF ARCHES in *Martin v. Mackonochie* adds one new point, and only one, to the points already decided in connection with the ceremonial law of the Church of England. Of the nine charges made against the defendant, seven were entirely covered by the cases of *Elphinstone v. Purchas* in the Arches Court (L. R. 3 A. & E. 66), or of *Hebbert v. Purchas* in the Privy Council (19 W. R. 898). Of the two remaining charges, one was pronounced not proven, and on the other Mr. Mackonochie was condemned. It is now held to be as unlawful to burn lighted candles during morning prayer as to burn them during the Communion service. Our readers may remember that the latter practice was condemned in *Martin v. Mackonochie* (1st suit, 17 W. R. 187), and was accordingly discontinued in St. Alban's Church. But lights at morning prayer, it was urged on behalf of Mr. Mackonochie, stand on a very different footing from "altar lights," from lights, that is to say, kindled during the communion service. In the latter case some symbolical meaning can be attached to them. In the former they have no meaning: they are, it was contended, mere decorations of the service, as harmless as a vase of flowers, or as a picture, a cross, or a painted window, all of which are confessedly not illegal. Sir Robert Phillimore, however, did not accede to this view, and pronounced that lights, whenever used, if not necessary for the purpose of giving light, are an unlawful addition to the rites and ceremonies prescribed by the prayer-book. The decision is of no importance to anyone but Mr. Mackonochie; for we believe we are right in stating that the practice of lighting candles at morning prayer is very unusual. The injunctions of Edward VI. (A.D. 1547) which were recognised as of authority in *Westerton v. Liddell* (Moo. 156), but were disregarded in *Martin v. Mackonochie* (1st suit), provide that "two lights shall be upon the high altar before the Sacrament," but, so far as we are aware, no one has ever attached any symbolical meaning to lights at morning prayer. Still there is no doubt that, even admitting they are at such a time destitute of any symbolical meaning, they may nevertheless be illegal, according to the well-known principle that no addition of any sort can be tolerated to the "order and form" of celebrating divine service. The matter was really scarcely worth contesting, and we should suppose will not be included, unless formally, in Mr. Mackonochie's appeal. The great points upon which the decision of the superior court will be sought will, no doubt, be the legality of the "eucharistic vestments," and of the eastward position of the celebrant during the consecration prayer. The rest of the questions involved in Mr. Mackonochie's case are comparatively trivial, or at least are of importance only to himself.

THE ARRANGEMENTS, legislative and judicial, of the Isle of Man are somewhat of a mystery to the inhabitants of

the neighbouring islands, and perhaps, if the report of a case which we reprint elsewhere represents the normal state of those arrangements, it may be as well for the credit of the island that the present mystery should not be too completely unveiled. It appears that the Lieutenant-Governor of the island, who is also Chancellor and Chief Judge, deemed himself affronted, in his executive and judicial capacities, by some remarks made by Mr. Laughton, an advocate, in the course of a trial in which he acted as counsel for the defence. Mr. Laughton afterwards, apparently of his own motion, wrote to the Governor, retracting the observations in question; but a correspondence ensued, in which the Governor fancied that the advocate withdrew his retraction. Mr. Laughton was thereupon summoned to show cause why he should not be struck off the list of practising advocates. The court by which the question came on to be tried was the Governor himself, who had brought with him for his assistance certain island dignitaries, bearing the titles of Deemster, Water Bailiff, Clerk of the Rolls, and Receiver-General. Mr. Laughton's counsel not unnaturally asked the two following questions in close juxtaposition—namely, who was the person bringing the charge, and by whom the charge was to be tried. This, the report states, "appeared to take the court by surprise," the impropriety of a man sitting as judge in his own cause having apparently been altogether overlooked. The papers were then handed to the Attorney-General, apparently under the impression that a formal change of prosecutor would remove every possible objection, and the court adjourned for a couple of hours to enable the Attorney-General to prepare "a report." This having been done, and the case having been gone into before the Governor and his medley of assessors, the court asked Mr. Laughton's counsel whether his client in his letters had not really meant to withdraw his retraction, except in so far as to vindicate the right of the bar "to comment on the conduct of a prosecutor where that was necessary in consequence of acts of a third person and the right to refer to a third person by name." Counsel replied that he had not, and thereupon the Governor read a judgment accepting the apology. Thus the Gordian knot was cut; and the Governor made his escape from his very awkward position.

EVERYONE WHO KNEW SIR JOHN STUART on the bench will have been rejoiced to observe in the columns of the *Times* this week evidence that his long judicial career has left him with haleness and energy sufficient to suggest a mode of sweeping out the Augean stable of bankruptcy. Suitors and creditors will also be comforted to learn that, in the opinion of a late judge of the Court of Chancery, a good time is in store for them. And practitioners in equity will be glad to know, on the same authority, that for "the vices introduced by the Act of Lord Brougham," there is no remedy like a staff of chief clerks and junior clerks, under the direction of a Vice-Chancellor. But we are bound to say that before Sir John can expect "the Government, of which Mr. Disraeli is the head," to adopt his suggestion it will be desirable that he should adduce some statistics in support of the assumption on which he bases his proposal. "How does it happen," he asks, "that the delay and expense of performing this duty" [of realising and applying property in payment of debts] "to the creditors of a bankrupt is at this time so very much greater than to the creditors of a testator or intestate [in the Court of Chancery]?" What we should like Sir John to prove is, that the delay and expense of performing this duty are really so very much greater in realising an estate under the law of bankruptcy than in realising an estate in the Court of Chancery. The whole of his proposal rests on this assumption, and as we believe it to be entirely opposed to the experience of most practitioners, we look with some interest for the data on which it is grounded. Meanwhile we can only

say that it is quite true that the realisation and application of property in bankruptcy is "the same sort of business which is required and transacted satisfactorily in so many cases in the Judges' Chambers in Chancery," and so is the realisation and application of property by the executors or administrators of a deceased person; but would anyone argue that on this ground all the estates of deceased persons ought to be wound up in Chancery? The more apt parallel, in the case of the vast majority of estates wound up under the law of bankruptcy, is not between winding up in the Court of Chancery on the one hand and winding up by official persons in the Court of Bankruptcy on the other, but between winding up by an executor and winding up by an unofficial trustee.

Sir John takes advantage of the opportunity to run-a-muck at Lord Brougham's legislation on this subject. No one now-a-days, we suppose, cares to deny that the Court of Review, created by that legislation, was a mistake, and perhaps a job. But when Sir John Stuart affirms that "as to a speedy realisation of the bankrupt's estate, and speedy payment of creditors at the smallest practicable amount of expense, it is not enough to say he did nothing; the delay and expense were vastly increased," he can hardly have had in his mind Lord Eldon's description, in 1801, of the practical working of the system from which Lord Brougham rescued us. "His Lordship observed with warmth that the abuse of the bankrupt law is a disgrace to the country, and it would be better at once to repeal all the statutes than to suffer them to be applied to such purposes. There is no mercy to the estate. Nothing is less thought of than the object of the commission. As they are frequently conducted in the country, they are little more than stock in trade for the commissioners, the assignees, and the solicitor" (6 Ves. 1).

A POINT OF SOME INTEREST in relation to the law of evidence in cases of marine insurance arose in the case of *Anderson v. Morice*, recently decided by the Court of Common Pleas. The action was upon a policy of insurance on rice. The ship in which the insured rice had just been loaded was lying at anchor in the Rangoon river in fine weather when she suddenly began to leak, and in a very short space of time filled with water and sank. No evidence was forthcoming of any facts that could account for this sudden and rapid leakage. The plaintiff gave evidence showing that the ship had recently undergone thorough repair, that she had just been surveyed, and that she had behaved excellently on previous voyages and on her way to Rangoon. A variety of conjectures were put forward by witnesses on either side to account for the loss of the vessel—e.g., that she might have sat on her anchor, or grounded on one of the ballast heaps which were stated to exist in the Rangoon river. Under these circumstances the question arose as to the effect of the evidence on two issues—first, whether there was a loss by a peril insured against, secondly, whether the ship was seaworthy at the inception of the risk. The court held that though the mere fact of the ship's sinking in fine weather without any manifest cause would create a presumption of unseaworthiness and lay the onus of proving seaworthiness on the plaintiff, yet if the plaintiff gave evidence tending to show that the ship was seaworthy, the whole of the facts were for the jury; and if they came to the conclusion that the ship was seaworthy they might find that she was lost by a peril of the sea, though what that peril was they could not determine. It is difficult to see how any other conclusion could have been arrived at. Unless it could be contended that a ship's sinking in fine weather without apparent cause is conclusive evidence of unseaworthiness, whatever evidence of previous seaworthiness may be given, the conclusion of the judgment follows as a matter of course. If the jury are entitled to find the ship seaworthy, on looking to all the facts, and they do so, it must follow that she was lost by a peril

insured against; only two causes of loss being possible—viz., unseaworthiness or a peril of the sea.

Apart, however, from any question of law as to the effect of the evidence, and assuming, in conformity with the judgment, that there was evidence for the jury to consider on the issues of seaworthiness and loss by peril of the sea, an interesting question of fact is involved as to the effect of circumstances resembling those which existed in *Anderson v. Morice*. Supposing a case to arise in which the bare outline of the evidence should be that the ship is shown to have been, as far as usual appearances go, seaworthy up to a recent date before the loss, and that a loss occurs without any definite assignable cause, in which direction ought the weight of the evidence to be considered as tending? The burthen of proving a loss by peril insured against lies on the plaintiff, and assuming that evidence of seaworthiness up to a recent date is sufficient to be left to the jury on the issue whether there was a loss by perils of the sea, the question remains whether, as a matter of fact, the plaintiff has sufficiently sustained the burthen of proof laid upon him. It might be urged that, in such a case, when the inception of the risk and the loss occur closely together in point of time, the supposition of some unknown cause causing the ship to become unseaworthy immediately before the inception of the risk is as admissible a supposition as that of some unknown cause after the inception of the risk amounting to a peril insured against. It will be seen at once that an unknown cause acting upon the ship, which if it occurred after the inception of the risk would effect a loss by a peril insured against, would if it occurred before the inception of the risk, effect the result of unseaworthiness. It follows therefore that the value of evidence of previous seaworthiness as tending to prove the alternative of loss by a peril insured against, depends very much on its approximation to the actual period of the inception of the risk. As a question of weight of evidence it seems that the evidence of seaworthiness ought to be very cogent, and to be brought down to a very recent period in order to satisfy the onus of proving a loss by a peril insured against, inasmuch as it is evidence of a purely negative and inferential character.

THE NEW FRENCH TRADE-MARK LAW.

It may be of interest to some of our readers to state shortly the effect of the recent French law on trade marks, which was enacted in December, 1873, and which has lately been brought into effect by the rules issued by the French Government in pursuance of it. By the law it was provided that any proprietor of a trade mark might have a stamp or brand affixed by the State to any labels, tickets, or wrappers bearing the trade mark, or on the materials of merchandise (Art. 1); for this privilege a sum was to be paid in respect of each stamp or brand affixed (Art. 2), which was to vary with the value of the articles to which the stamped labels, &c., were to be applied, and the difficulty of branding the articles themselves, and was (within certain limits) to be fixed by the Government; a penalty was imposed on the sale of any article at a rate exceeding that indicated by the stamp (Art. 4); powers were given to French consuls abroad to conduct the *procès verbaux* on the "usurpation" of a trade mark (Art. 5); to counterfeit or falsify a stamp or brand, or to make use of a falsified or counterfeit stamp or brand, was made a crime punishable under Art. 140 of the Penal Code, and to make a fraudulent use of stamps or brands or stamped or branded labels, &c., was made a crime under Art. 142 of the same code (Art. 6); the stamp or brand, when affixed, was to form part of the trade mark, and (in default of the intervention of the State) the proprietors were to be at liberty to prosecute (Art. 7); the Act was to extend to Algiers and the French colonies (Art. 8); and all laws relating to trade

marks, &c., were made applicable in favour of foreigners whose national law, either by legislation or treaty, gave the same guarantees to Frenchmen (Art. 9). This law has been supplemented by regulations issued by the French Government fixing a tariff and regulating the conditions under which the stamp or brand is to be affixed or imprinted.

A French journalist observes very justly that manufacturers cannot be expected to avail themselves much of the new law unless the tariff is very moderate, and complains of that fixed by the Government as too high; and to this must be added the interference with the operations of trade which would be caused by the prohibition, in Art. 4, of selling an article at a price exceeding that indicated by the stamp, a provision evidently inserted for the protection of the revenue. The objection is so considerable that, having regard to the amount the tax would add to the cost of production on the one hand, and to the necessity, on the other, of making it remunerative to the State, we doubt whether the new law is likely to be much acted on; and we still more doubt whether such legislation would in this country have any effect given to it by those for whose benefit it was designed.

The part of this legislation to which naturally most weight is attached is that which makes the counterfeiting or fraudulent use of the stamped mark a crime; and the effects of this in French law are very remarkable. By the *Code d'Instruction Criminelle*, as modified by a law of 1866, not only may a Frenchman be criminally punished in France for any crime committed abroad, and for any *délit* committed abroad and punishable by the law of the country where it is done, but a foreigner, arrested in France or whose extradition is obtained, may also be punished for a crime by French law committed abroad by him, whether as principal or accessory, which aims at the safety of the State, or at the forgery of the seal of the State, or of the currency, or of national paper, or of bank notes. By Arts. 140 and 142 of the *Code Pénal* to counterfeit any government seal, mark, or brand, or to make use of such counterfeit mark is made a crime. By the application, therefore, of these last-mentioned articles (by Art. 6 of the new law) to the Government stamp on trade marks, the power is obtained of prosecuting criminally in France the imitation abroad of any trade marks so protected, and it is this legislation which gives rise to the extraordinary claim put forward for the extradition and trial of foreigners which we noticed lately (18 S. J. 885).

It is to be observed that, by the French law (and, according to M. Wolowski, by the law of almost all countries except England), a trade-mark must be registered in order to give the person claiming it as his property the protection of the law; and from the report presented by M. Wolowski to the French Assembly it appears that the registered trade-marks in France in 1870 amounted to 11,969. To judge from the numerous cases of infringement reported in the journal (*Annales de la Propriété Industrielle*) from which we have extracted these particulars, the governmental sanction thus afforded is far from being more efficacious than the freer system which prevails in England, and we see no reason to desire a change in the direction of French legislation. It may be noticed also that the criminal penalties provided by the Merchandise Marks Act, 1860, have been but seldom resorted to, and it would appear that the security of trade in this respect is sufficiently provided for by private interest without resorting to the extreme measures lately introduced in France.

It is announced that no further dividends will be paid to the policyholders in the Albert Life Assurance Arbitration after the 15th of this month. This refers to those creditors who have hitherto failed to make a claim. It is also stated that Lord Cairns is actively engaged in preparing a final award in this matter.

RECENT CASES AFFECTING SOLICITORS.

IV.

A curious question arose in *Re Maugham* (22 W. R. 748). A solicitor was at Paris, and his client wanted to tax his bill. Application was accordingly made to the Master of the Rolls for liberty to serve the common order to tax at Paris. The judge held that he had no power to do this, as the court could only order service out of the jurisdiction in those cases in which it was empowered to do so by statute. He, however, granted substituted service. The point is not, perhaps, of very much practical importance, since if a solicitor went out of the jurisdiction soon after delivering his bill, the client might surely very safely take no step towards taxation until he was sued by the solicitor, at which stage, we may take it, substituted service on the attorney in the action would always be allowed.

The case of *In re Elmslie & Co.* (22 W. R. 54, L. R. 16 Eq. 326) is an authority for the proposition on which some doubts had been thrown by *dicta* in previous cases, that the continuance of the relation of solicitor and client is not of itself sufficient to justify a reference for taxation more than twelve months after the delivery of the bill. We have already commented on this case, 18 S. J. 279.

In *Holditch and Clifton v. Carter and Others* (21 W. R. 934, L. R. 3 P. & D. 115) a testamentary suit had been compromised on terms which included a fixed sum (£700) to be paid by the plaintiffs to the attorney of one of the defendants for his agreed costs. This sum was actually paid. Afterwards the client, having obtained the bill of costs, amounting to £710, applied that it might be taxed. The attorney resisted taxation; and it was argued on behalf of the client that the agreement for a compromise was not with the attorney, but with the defendant for her benefit; and that the attorney had no right to claim against her more than his taxed costs. Sir James Hannen adopted this view of the agreement, but came to a different conclusion from it. It was in his view the same as if the client had received the £700 with one hand and paid it over to her attorney with the other, and so came under the ordinary rule that all bills which have been once paid cannot afterwards be taxed except under special circumstances. In the present case no special circumstances—such, for instance, as that the attorney had advised his client to compromise in order that he might reap a large personal benefit—had been alleged, and accordingly the taxation could not be allowed.

In *Scorfield v. Jones* (18 S. J. 86), where the action was in respect of the insurance on a ship, an application was made to the Court of Queen's Bench that the taxation of costs might be reviewed, on the ground that the taxing-master had allowed the charges for certain written copies of policies, whereas printed copies might have been obtained at a trifling expense. The charges thus allowed amounted altogether to £8 6s. 8d. The point had not been raised before the taxing master, and the court refused the application.

In *Beattie v. Lord Ebury* (22 W. R. 68) Vice-Chancellor Bacon held that the court ought not to interfere with the discretion of the taxing master when, under Consol. Ord. XL rule 12, he had allowed the costs of only one of two answers put in by different defendants who appeared by the same solicitor. The words of the order in question are:—"Where the same solicitor is employed for two or more defendants, and separate answers are filed . . . the taxing master shall consider . . . whether such separate answers . . . were necessary or proper; and if he is of opinion that any part of the costs occasioned thereby has been unnecessarily or improperly incurred, the same shall be disallowed."

The question in the case of *In re Knocker* (18 S. J. 344) was not one likely ever to occur again, nor did it add anything to the law. Vice-Chancellor Malins, and after him the Lords Justices, pronounced the contention raised

in the case to be a perfectly idle one. We mention it here merely by way of reference.

It would be a very serious thing to hold that a solicitor cannot prove in the bankruptcy of his client for the amount of his bill of costs against the client, unless the bill has been taxed. An attempt was made in *Ex parte Nicoll* (18 S. J. 264), to convince the Court of Bankruptcy that this was the law, and it appears from the report that one of the learned registrars of that court actually took this view. On appeal, however, to Mr. Registrar Spring-Rice, sitting as Chief Judge, this decision was reversed. The facts in the case were very simple:—The debtor admitted the amount of the bill of costs, and the solicitor claimed to prove. It seems to have been thought at first that the case was within *Ex parte Ruffie, re Dummelow* (21 W. R. 932, L. R. 8 Ch. 997). In that case a creditor had recovered a verdict for £357 and costs, and claimed to prove in respect of the £357, "and £200, which I estimate as the amount of costs which will be payable in the said action by the said J. Dummelow to me, making together the sum of £557." The Lords Justices held that it would never do to allow persons to prove on their "estimates" of what was coming to them, without pledging their oath to any particular amount, and on this broad ground disallowed the proof, saying, that the creditor ought to have ascertained from his attorney how much would be likely to be taxed off, and then have sworn that at least some certain sum was due to him. This case, it will be seen, was but a shadowy authority for the proposition advanced in *Ex parte Nicol*, where the solicitor claimed a specific sum which the debtor admitted to be due. The amount of the costs, no doubt, was liable to be reduced, but so might any other claim made by any other creditor; and, as was pointed out by Mr. Registrar Spring-Rice, the admission of the proof as against the general body of the creditors would not oust the right of the creditors to have the costs taxed afterwards.

In *Re Bull* (18 S. J. 531) a firm of solicitors had proved for their bill of costs, subject to taxation if required by the trustee. The trustee did not require taxation. At a meeting of the creditors a resolution assenting to an order of discharge was made by a majority of one. A struggle was made to get this resolution upset, and along with another equally untenable objection, it was contended that the firm of solicitors who had voted with the majority had no right to vote, "for their proof was admitted conditionally, and they should not be considered as creditors," and the bill ought to have been taxed. The learned registrar apparently failed to see the force of this reasoning.

In a case in Ireland, *Shannon v. Casey* (I. R. 8 Eq. 307), it was held that a security taken for untaxed costs gave a solicitor no right to interest on them. There may, however, be a contract to pay such interest, if it be made with full knowledge, sufficient advice, and necessary warning (see *Lyddon v. Moss*, 7 W. R. 433, 4 De G. & J. 104).

The 17th section of the 33 & 34 Vict. c. 28, which enables taxing-masters to allow interest on moneys disbursed by the solicitor for his client, was the subject of the decision in *Hartland v. Murrell* (43 L. J. Ch. 84). In that case the solicitors of mortgagees claimed out of the proceeds of the sale of the mortgaged property interest on moneys advanced to their clients on the occasion of sales of parts of the property which had been made from time to time under a decree in a foreclosure suit. Lord Selborne, sitting for the Master of the Rolls, took the same view of the section as the taxing-master had done—namely, that the Act only applied as between solicitors and their own clients, and did not enable them to charge any other persons, such as mortgagors, with interest.

In *Pritchard v. Roberts* (22 W. R. 259, L. R. 17 Eq. 222), an infant was entitled to a moiety of a house which was in the possession of one Proger, the person entitled to the other moiety. The title-deeds had been lost.

Proger would pay no rent to the infant, but offered, if he could make a title, to purchase his interest. Under these circumstances a solicitor came forward and presented a petition in the name of the infant under the Declaration of Titles Act, 1862. An order was made on this petition declaring the infant absolutely entitled to a moiety. Proger still refused to recognise his title or pay rent, and the solicitor thereupon filed a bill in the infant's name against Proger for partition or sale. A decree was made for sale, and Proger bought the infant's moiety and paid the purchase-money into court to the credit of the partition suit. In this state of things it was clear that as the infant would have derived no benefit from his moiety but for the partition suit, his solicitor was entitled to a lien on the fund in court for the costs of that suit. These, of course, would not include the costs of the former proceedings under the Declaration of Titles Act, and he accordingly filed a bill against the infant in the Court of Chancery, asking that the costs of all the proceedings—namely, the petition, the partition suit, and the suit in which he was himself the plaintiff, might be declared to be a lien on the fund in court. Vice-Chancellor Hall held that he was entitled to the relief prayed, on the ground that the petition was really auxiliary to the partition suit.

A suit which only relates to an easement is not a suit in which it can be said that property is recovered or preserved (see *Foxon v. Gascoigne*, 22 W. R. 939, L. R. 9 Ch. 655, and our comments on the case, 18 S. J. 846).

In *Hill v. Hibbit* (commented on in 18 S. J. 255, but apparently not elsewhere reported), it was held that the solicitor of a party to the suit had no lien on certain monies paid to his client by way of compromise. As we pointed out at the time, the rule is well settled that the solicitor's lien is not allowed to interfere with any *bona fide* compromise; though if the motive for compromising is to defeat the lien, the courts will interpose: (see *Brunden v. Allard*, 7 W. R. 581, 2 El. & El. 19).

In *Pinkerton v. Easton* (29 L. T. 364), where the plaintiff in a suit for administration stopped all further proceedings before the chief clerk had made his certificate, or the decree had been carried out by the appointment of a new trustee, the Lord Chancellor held that no property had been preserved on which the plaintiff's solicitor could have a lien.

In *Cotterell v. Stratton* (22 W. R. 607, L. R. 9 Ch. 514) it was laid down by James, L.J., that in order to ascertain whether the higher or lower scale is applicable to the costs of suits for redemption or foreclosure, it is only necessary to look at what was the sum originally secured by the mortgage, and that the sum due at the time of the filing of the bill is immaterial. We noted this case fully in 18 S. J. 706, and pointed out that the Lord Justice's dictum was unnecessary to the decision.

In *Steward v. Nurse* (43 L. J. Ch. 384), which was a question of higher or lower scale of costs in an administration suit, the present Master of the Rolls is reported to have said that "it was well settled that in order to ascertain for the purpose of costs the value of the testator's estate, its value at the time of the death must be looked at." In the case before the court the testator's estate at the time of his death consisted of about £200, and £950, the value of his half of a partnership. During the administration of his estate by the court, this amount was reduced by £300, the costs of realising the partnership by means of a suit instituted by leave of the court. The taxing-master considered that the costs of the administration suit ought to be reckoned on the lower scale, on the ground, it may be supposed, that the real value of the half partnership to the testator's estate was never more than its gross value, less the necessary expense of realising it, whatever that might be. The Master of the Rolls, however, held that the fact that subsequently to the testator's death £300 was expended in costs made no difference. We may add, to prevent any misunderstanding which may arise from the words we have quoted, that it is not quite correct to say that the

time for estimating the value of the estate is the testator's death; it should rather be the date of the institution of the suit (see *Judd v. Plum*, 9 W. R. 27, 29 Beav. 21).

JUDICIAL STATISTICS, 1873.

II. CRIMINAL PROCEEDINGS AND PRISONS.

DURING the last twenty years there has been a considerable variation in the number of persons for trial, the highest number having been 29,359 in 1854, and the lowest 14,801 in 1872. In the year 1873 the number was 14,893. Out of this number it appears that 11,089 were convicted, and that 3,757 were acquitted, being 25.22 per cent., and 47 were detained as insane. In 1872 the number acquitted was 26.35 per cent of those committed. The sentence with regard to the 11,089 convicted was as to 18, death, as to 1,493, penal servitude, as to 9,141, imprisonment, as to 236, detention in reformatories, and as to 201, a fine or discharge on sureties.

Of the 18 persons found guilty of murder in 1873, four were females, and out of the whole number 9 males and 2 females were executed. Those sentenced to penal servitude are enumerated as follows:—

For life	8
Above 15 years	18
15 years and above 10 years	57
10 years and under	1,410
	<hr/> 1,493

Those who were sentenced to terms of imprisonment are classified as follows:—

2 years and above 1 year	1,074
1 year " 6 months	2,857
6 months " 3 months	2,836
3 months " 1 month	1,628
1 month and under	746
	<hr/> 9,141

Twenty-four cases were submitted in 1873 for the decision of the Court of Criminal Appeal. In 15 of these cases the conviction was affirmed, and in 9 reversed. In 1872 the number of cases submitted was 21, and in 17 of these cases the conviction was affirmed, and in 2 reversed, while 2 stood over to be argued before all the judges. In 1871, 27 cases were submitted, and in 1870, 32.

The return of the sums paid by the Treasury on account of criminal prosecutions at assizes and quarter sessions, and at the Central Criminal Court, and for proceedings under the Criminal Justice Act, and the Juvenile Offenders Act, is for the year 1872, being as usual a year in arrear of the other returns. The following table shows the number of these cases, together with the total cost and the average cost.

	No.	Cost.	Average.
Circuit Assize Courts	2,209	£29,808 14 5	£13 9 10
Central Criminal Ct.	693	5,490 12 8	7 18 5
County Quarter Sessn.	6,122	48,452 13 0	7 18 4
Midlx. Quarter Sessns.	1,763	6,311 4 10	3 11 6
Boro' Quarter Sessions	2,674	16,912 8 6	6 6 5
Criminal Justice Act	14,479	15,256 15 5	1 1 0
Juvenile Offenders Act	2,904	1,716 4 9	0 11 9

Comparing these figures with those for the previous year, they show a decrease of 1,154 in the number of cases tried on indictment, and of £7,038 19s. 11d. in their cost, while the average decrease of cost in each case was 2d. In the number of summary proceedings there is an increase of 13, but a decrease of £201 16s. 10d. in the total cost, and a decrease of 1s. 3d. in the average cost. In the previous year there was an increase of 2d. in the average cost of each indictment, and a decrease of 2d. in that of each summary proceeding.

The total number of Mint cases prosecuted and concluded in the year 1873 was 168, and the total costs paid by the Department £1,567 16s. 4d. The number of

criminal cases other than Mint cases prosecuted by the solicitor of the Treasury was 32, and the costs of those cases amounted to £1,754 14s. 9d.

Prison returns are given for the year ending the 29th September, 1873, except those for convict prisons, which are for the year ending the 31st March, 1874. There are 116 prisons, of which 81 are county and liberty prisons, and 35 city, town, and borough prisons. The number of persons committed to prison during the year was 165,142, being 7,001 more than in the previous year. They are classified as follows:—

Remanded and discharged	11,249
For trial at assizes and sessions	13,300
Convicted at assizes and sessions (not previously in custody)	1,383
Convicted summarily	126,437
Want of sureties	3,044
Debtors and on civil process	6,687
Military and naval offenders	3,042
	<hr/> 165,142

In the total number in 1872 there was a decrease of 2,793 on the numbers of 1871. But in the year 1869 there was an increase of 14,635, and in 1868 of 13,296. There is an increase of 3,810 in the number of prisoners recommitted in 1873. In the previous year there was a decrease of 420, and in 1871 a decrease of 1,814. The total number recommitted was 61,274, and of this number we find that 21,841 had been previously committed once, 10,340 twice, 6,195 three times, 4,498 four times, 3,196 five times, 4,149 seven times and above five, 3,822 ten times and above seven, and 7,233 more than ten times.

Of the total number committed, exclusive of naval and military prisoners, it appears that 51,898 could neither read nor write, 98,112 could read, or read and write, imperfectly, 4,649 could read and write well, 200 had received superior instruction, and the degree of instruction of 554 was not ascertained. The usual classification is given of the employment in life of those committed, and is shown in the following table:—

No occupation	21,666
Domestic servants	4,977
Labourers, charwomen, needlewomen.	72,212
Factory workers	8,664
Mechanics and skilled workers	24,915
Foremen and overlookers of labour	137
Shopmen, shopwomen, clerks, &c.	2,342
Shopkeepers and dealers	5,641
Professional employments	349
Sailors, marines, soldiers	5,109
Prostitutes	8,963
Occupations not ascertained.	438
	<hr/> 155,413

The foregoing statements relate to the prisoners committed during the year, but we now have to deal with the whole number of prisoners under confinement in the different local prisons during that period. At the beginning of the year the number of prisoners, including debtors, was 17,433; 165,142 were committed during the year, and 3,298 were removed between local prisons, making a total of 185,873, who were disposed of as follows:—

Removed from local prisons—

To Government prisons	1,585
To county and borough prisons	3,190
To reformatory schools	1,629
To lunatic asylums	135

Discharged—

On pardon or commutation of sentence	104
On ticket of leave	2
On termination of sentence or commitment	160,345
Bailed	916
Escaped	4
Committed suicide	21

Died	198
Executed	10
	<hr/>
	168,139

There remained, therefore, in prison at the end of the year 17,734 prisoners, being 301 more than at the beginning of the year.

The number of prisoners under sentence of hard labour in the whole of the local prisons during the year 1873 was 101,274, being 11,411 more than in the previous year. There were 198 deaths from natural causes among the prisoners, and 3,781 cases of sickness, which were sent to the infirmary, besides many thousand cases of slight indisposition, and 158 cases of insanity. There were 54,330 punishments inflicted for offences against prison discipline, being 1,662 more punishments than in 1872. In 173 instances the penalty was whipping, in 60 the prisoner was placed in irons or handcuffs, in 15,388 the prisoner was condemned to solitary or dark cells, and in 38,709 to stoppages of diet.

Including governors, deputy-governors, chaplains, surgeons, clerks, matrons, warders, and subordinates, the total number of prison officers in 1873 was 2,499, which number was nine less than in 1872. The total number bears the proportion of one officer to 7.07 of the daily average number of prisoners; in the year 1872 the officers were in the proportion of one to every 6.9 prisoners.

The total cost of prison establishments in 1873 was £585,021 5s. 6d., and of this sum £82,516 16s. was for extraordinary charges, such as cost of new buildings and the interest on loans for the same purpose in previous years. This shows a decrease of £37,777 9s. 2d. in the total amount, and a decrease of £66,641 16s. in the extraordinary charges. Among the ordinary charges there is an increase of £12,109 3s. 9d., and of this amount £5,879 12s. 9d. is for officers' salaries and pensions. Prisoners' diet cost £5,607 9s. 6d. more than in 1872. The average yearly cost of a prisoner was £33 1s. 7d., or, deducting extraordinary charges, £28 6s. 7d. The average yearly cost of each prisoner varies according to the number of the staff and the number of the prisoners in each prison, and is also liable to be increased by extraordinary charges. Durham county prison maintained its prisoners in 1873 at an average cost of £16 19s. 1d. for each prisoner. This was the lowest average of any prison, and in the previous year the average was £16 18s. 6d. The highest average was at the Rutland county prison at Oakham, where each prisoner cost on the average £117 1s. 8d.

Prison expenses are defrayed from various sources which are comprehended under the three headings of prison receipts, local rates and funds, and public revenue. Under the first heading the profit of prisoners' labour amounted to £50,458 10s. 1d.; vagrants' money applied to maintenance amounted to £99 12s. 3d., and other small contingent receipts to £7,694 15s. 6d., making altogether £58,252 18s. 8d. The amount contributed by local rates was £429,586 18s. 3d., and public revenue provided £97,181 8s. 7d., making up the total of £585,021 5s. 6d.

Returns relating to convict prisons are for the year ending the 31st March, 1874. The same ten prisons are in use as in the previous year. Millbank and Woking are for both males and females, Fulham for females only, and the other seven for males only. At the beginning of the year there were 9,684 prisoners undergoing sentence in convict prisons, and 1,992 were received from local prisons, making 11,676. At the end of the year 9,582 remained, and the remainder, being 2,094, were disposed of as follows:—

Removed to county prisons	9
To lunatic asylums	20
Discharged on termination of sentence	239
On ticket-of-leave	1,663
Ditto on medical grounds	7
On commutation of sentence	14

On pardon	4
Died	163
Committed suicide	2
Escapes	3
	<hr/>
	2,094

At the beginning of the previous year there were 9,732 convicts undergoing sentence, and 1,939 were received during the year, making together 11,671. Of these it appears that 1,595 were discharged on ticket-of-leave. In 1871 the number discharged on ticket-of-leave was 1,491 and in 1870, 1,399.

The total number of punishments for prison offences in convict prisons was 21,865, as against 25,613 in the previous year. The officers in all the convict prisons are 1,679 in number, and consist of 25 governors, deputy governors, lady and deputy superintendents, 25 chaplains, 66 schoolmasters, Scripture readers and schoolmistresses, 20 medical officers, 59 clerks, and 1,434 subordinate officers, servants and guards. Of this number 150 were females. The total expenditure on convict prisons was £342,158 6s. 2d., being £24,870 17s. 3d. more than in the previous year, and the average cost for each convict was £33 8s., being £2 13s. 3d. more than in the previous year. The value of prison labour, exclusive of that in the service of the prisons, amounts to £220,490 4s. 2d., and by this means and the incidental receipts the net cost of convict prisons is reduced to £120,113 4s. 1d., and the net annual charge for each prisoner to £11 14s. 6d. In Portsmouth and Chatham prisons the net annual earnings of each prisoner exceeded the cost of his maintenance by £6 15s. 6d. and £7 18s. 6d. respectively.

There is the same number of reformatory schools in the year ending September, 1873, as in the preceding year, and 1,420 offenders were sent to these schools during the year, being 72 more than in 1872. All these had suffered terms of imprisonment varying from 10 days to 4 months and upwards. At the beginning of the year there were 4,424 offenders confined in reformatories, and 1,424 were committed during the year, 11 were received from other reformatories, 12 from prisons, 20 were re-admitted after absconding, and 79 after a leave of absence, making a total of 5,966. Of this number 191 were discharged by order of the Secretary of State, and 429 on completion of their term, and 718 on licence; 48 absconded and were not retaken, 23 were committed to prison for refractory conduct, 19 were removed to other reformatories, and 23 died, making a total of 1,451, and leaving 4,515 remaining at the end of the year, or 91 more than in 1872. Of the 1,420 committed during the year, it appears that 500 had been previously committed to prison once, and 143 twice, while the number that had not been previously committed was 714. These children were all under 16 years of age, and their state of instruction is shown in the following table:—

Neither read nor write	698
Read, or read and write, imperfectly	646
Read and write well	75
Superior instruction	1
	<hr/>
	1,420

The payment by the Treasury on account of reformatory schools was £68,030 3s. 9d., being £1,093 15s. 10d. more than in 1872, and £2,109 18s. 11d. more than in 1871. Parents contributed £3,238 16s. 7d. in 1872, and £3,124 10s. 5d. in 1871.

Feltham Industrial School, as usual, has a return all to itself, under the Local Act, and from this it appears that the commitments under that Act during the year ending September, 1873, amounted to 69, as against 64 in the previous year. The number in the school at the beginning of the year was 223, making, with those committed, 292 as the total number under detention during the year. Of this number 60 were discharged by order of the Secretary of State, 11 on leave of

absence, 52 on completion of their term, and 2 absconded and were not retaken, leaving 167 under detention at the end of the year. The gross cost per head was £26 16s. 8d., as against £24 16s. 6d. in 1872. The amount recovered from parents was £47 2s. 2d., as against £140 7s. 2d. in 1872.

There are, including Feltham, 76 schools under the Industrial Schools Act, being 5 more than in 1872. The number committed to these schools during the year was 2,266, and there were 6,388 under detention at the beginning of the year; 12 were re-admitted after absconding, 101 were received from reformatories or other industrial schools, and 51 after leave of absence, making 8,818 in all under detention during the year. These were disposed of as follows:—147 were removed to other schools, 877 were discharged, 97 died, 82 absconded and were not retaken, and 318 had leave of absence, making 1,521 who left, leaving 7,297 remaining at the end of the year. The cost of industrial schools was £124,282, as against £103,899 in 1872, and of this cost parents contributed £4,400 in 1873, and £3,299 in 1872.

The different asylums, hospitals, and licensed houses for criminal lunatics contained 837 inmates in 1873, and 875 in 1872. They began the year with 679, and during the year 156 were committed and 2 were received from other asylums. During the year 23 died, 1 committed suicide, 7 escaped, 28 were discharged on becoming sane, 13 were removed sane for trial or punishment, and 4 were removed to other asylums, making 158, and leaving 679 at the end of the year. Among the offences charged against these lunatics were 204 murders, and 149 attempts to murder. Of the whole number of prisoners 83 had been detained upwards of 20 years, and 398 more than five years. The several funds chargeable with the cost of criminal lunatics contributed as follows:—

County rates	£2,114
Borough rates or funds.	258
Parish rates	9,379
Public revenues	26,108
Private funds	1,194
	<hr/>
	39,053

In the year 1872 the total cost was £38,135. The average cost per head in the State asylum at Broadmoor was £61 16s. 10d., as against £61 2s. 10d. in 1872, and £65 5s. 9d. in 1871. In the county asylums the average cost per head was £26 9s. 0d., as against £23 15s. 7d. in 1872, and £24 12s. 6d. in 1871.

Recent Decisions.

EQUITY.

"APPARENT POSSESSION" UNDER THE BILLS OF SALE ACT, 1854.

In re Blenkhorn, L.J., 22 W. R. 907.

There has been a good deal of discussion as to when personal chattels are "in the possession or apparent possession" of the person giving an unregistered bill of sale, so as to render it null and void under the 1st section of the Bills of Sale Act of 1854 (17 & 18 Vict. c. 36). The expression "apparent possession" is, as Bramwell, B., remarked in *Gough v. Everhard* (11 W. R. 702, 2 H. & C. 1), "remarkable, for, as possession is itself a thing which appears, I do not see how the 'actual possession' and the 'apparent possession' can be in different persons unless some wider definition be given to these words by the language of the interpretation clause." By that clause personal chattels are to be deemed to be in the "apparent possession" of the person making the bill of sale, so long as they remain on any premises occupied by him or are used by him in any place whatsoever, "notwithstanding that formal possession thereof may have

been taken by or given to any other person." Under these words an Irish court seem to have thought that the mere fact of the personal chattels included in the bill of sale remaining on the premises renders such bill of sale null and void (*Sheridan v. McCartney*, 11 Ir. C. L. R. 506). But in *Gough v. Everhard*, Bramwell, B., construed the provisions of the Act above cited as meaning that the goods shall be deemed to be in the "apparent possession" of the vendor so long as they are on premises occupied by him "if nothing more has been done than the mere taking formal possession;" but where more than mere formal possession has been taken the clause does not apply. This view was adopted by the Court of Exchequer in *Smith v. Wall* (18 L. T. N. S. 182), where, although the goods included in the bill of sale were kept on the premises, the court thought that the circumstances of the man in possession having locked up the rooms containing the bulk of the goods and tried to turn the debtor out of the house, and of the placards announcing the intended sale of the goods having stated that the sale was to be made under a bill of sale, raised an inference that "actual and real possession and control were taken and kept" by the creditor. In *Ex parte Lewis, In re Henderson*, (19 W. R. 835, L. R. 6 Ch. 626,) the Lords Justices expressed their approval of this construction, but in that case, where the broker's man had merely remained in the house and slept in an upper room, but had not removed the furniture or interfered with its use by the debtor, and the placards announcing the sale had not contained any express intimation that it was made under a bill of sale, they held that the possession taken by the broker's man was a merely formal possession, and that the unregistered bill of sale was therefore null and void as against the trustee in bankruptcy of the debtor.

In *Re Blenkhorn* the learned Chief Judge in Bankruptcy seems to have held that although merely formal possession within the rule thus laid down was taken by the broker, and held by him for two or three days, yet if the broker entered with a *bona fide* intention to sell, and began to remove the chattels comprised in the bill of sale from the debtor's house within a reasonable time, the possession of the broker would suffice to take the goods out of the "apparent possession" of the debtor. The Court of Appeal, however, reversed this decision, holding that in order to render an unregistered bill of sale of personal chattels valid there must be "something done which takes them plainly in the eyes of everybody who sees them, or who is concerned," out of the debtor's possession.

COMMON LAW.

FACTORS' ACTS—AGENT TRUSTED WITH THE POSSESSION OF GOODS.

Cole v. North Western Bank, C. P. 22 W. R. 861, L. R. 9 C. P. 470.

The judgment in this case adopts as applicable under the provisions of 5 & 6 Vict., c. 39, the ruling in *Mont v. Whittenbury* (2 B. & Ad. 484), decided under the earlier Factors' Acts, that the circumstance that a person who is intrusted with the possession of goods does in fact act as an agent for sale, does not constitute him an agent intrusted within the meaning of the Act, if the capacity in which he is intrusted is a capacity of a distinct kind, such as that of warehouseman or wharfinger. And it affirms the principle supported by the reasoning in *Fuentes v. Montis* (16 W. R. 900, L. R. 3 C. P. 268), that notwithstanding the omission from the later Act of the words "intrusted for sale," an agent, to be brought within the operation of that Act, must be still an agent for sale, and intrusted as such. "The result is," says Lord Coleridge, C.J., "that to bind his principal by a sale or a pledge, the agent must have been intrusted with the goods for the purpose of sale, or he must be a person who is ordinarily intrusted to sell such goods, and must have made the sale or the pledge in the course

of his ordinary business, in pursuance of the authority so conferred upon him." The last words of this sentence appear inaccurate, and must be taken to mean "by means of the authority so conferred on him," for to say that he must have actually exercised the authority given to him would be to deprive the Act of all effect. The facts of the case briefly were, that the agent under whose pledge the defendants claimed (whether the pledge was on other grounds within the Act was a point raised in the case but not determined) was a broker, and as to one class of the goods acted as the plaintiff's broker, but he was intrusted with the goods not in that capacity (which would have made him a factor) but in the capacity of warehouseman simply. It was held on a review of all the authorities, that under these circumstances he was not an agent intrusted within the meaning of the Act.

MASTER AND SERVANT.

Cutler v. Turner, Q.B., 22 W. R. 840, L. R. 9 Q. B. 502.

This decision, the correctness of which we cannot see any ground for doubting, exhibits in a very striking way the stringency of the provisions of the Master and Servant Act, 1867 (30 & 31 Vict. c. 141). The appellant was summoned for absenting himself from work under a five years' contract, and was ordered to pay £11 8s. to his employers as compensation for the damage sustained by his absence. He again absented himself, and was on a fresh summons ordered to find security for the fulfilment of his contract, or in default to be imprisoned for three months. Now section 4 provides that imprisonment on making default to find security for fulfilment of a contract, "whether under one or several successive commitments, shall not exceed in the whole the period of three months." The power, therefore, of making any effectual further order to find security for fulfilment was gone. But the appellant was again summoned for absenting himself, and was ordered to pay a further compensation of £11 14s., under which order, by virtue of sections 11 and 12, he would be liable, on failing to pay, to a further imprisonment for three months. The justices may on a summons under the Act annul the contract, apportioning the wages due up to the completed period of the contract, or inflicting a fine not exceeding £20; but "if the contract is not annulled, the person breaking it may be proceeded against *toties quoties*" (Lush, J.). The effect of the statute is that a determined and organised resistance to the fulfilment of a contract cannot be made, except at the cost of repeated imprisonment to the party in default.

Reviews.

PRACTICE UNDER THE JUDICATURE ACT.

THE JURISDICTION AND PRACTICE OF THE SUPREME COURT OF JUDICATURE AND OF THE DIVISIONAL COURTS UNDER THE SUPREME COURT OF JUDICATURE ACT. By HUBERT AYCKBOURN, Solicitor. Wildy & Sons.

Mr. Ayckbourn has arranged under suitable headings, in Part 1 of his work, the sections of the Judicature Act, 1873, relating to the constitution, jurisdiction, officers, and sittings of the Supreme Court. Part 2 is devoted to the practice of the court, and contains the rules in the schedule to the Act and the proposed rules. We do not find that the author has attempted any exposition of these provisions, except an occasional summary of a previous enactment referred to in the Act or rules. He has, however, grouped the new rules conveniently and intelligently, and so as to afford to the practitioner considerable assistance in finding his way to the scattered provisions which are in future to regulate the practice of the courts. A more frequent use of cross references, and the insertion of references to the pages where the

various forms are to be found, would have added to the value of the book. Thus on p. 81 there should surely have been appended to the statement that "a demurrer to any statement may be filed in such manner and form as may be prescribed by rules of court," a note stating that a form has been furnished, and is to be found at p. 173 of the book. We see no necessity for reprinting in full the proposed rules, the substance of which has been given under the different headings in the earlier part of the work. If any such necessity existed, the Act and rules in the schedule ought also to have been reprinted, and the index should have extended to this part of the book. The present index (which might with advantage have been fuller) stops short at p. 180.

It is curious that we should so often have to remark upon the misunderstanding which appears to exist as to the power of plaintiffs to choose the division of the High Court in which they will sue. With all his habitual accuracy, we find Mr. Ayckbourn failing to point out clearly the effect of sections 34 and 35 of the Judicature Act, 1873. At p. 38 he says, "It has already been seen that all causes and matters commenced in or transferred to the High Court of Justice are to be assigned to the several divisions of the court in the manner provided by section 34 of the Act." He refers to the page of his book at which that section is printed in full, and then proceeds, "And by section 35 every person by whom any cause or matter may be commenced is to assign it to one of the divisions of the High Court (not being the Probate, Divorce, or Admiralty division) as he may think fit, &c." How came Mr. Ayckbourn to omit the all-important words of the last-mentioned section, "Subject to the provisions hereinbefore contained"? In his preface our author expresses an opinion that the alterations to be effected by the Act and rules "will prove highly beneficial to suitors, as they will . . . materially lessen the expense and delay which have hitherto attended the prosecution of proceedings in courts of justice." Let us hope that these predictions will be verified: we must add, however, that upon the point of expense Mr. Ayckbourn's opinion does not accord with the judgments formed by many very competent authorities.

PRINCIPLES OF EQUITY.

THE PRINCIPLES OF EQUITY, INTENDED FOR THE USE OF STUDENTS AND THE PROFESSION. By the late E. H. T. SNELL. Third Edition. By JOHN RICHARD GRIFFITH, Barrister-at-Law. Stevens & Haynes.

In reviewing previous editions of this work we have sufficiently expressed our opinion of its value as an elementary manual of equity jurisprudence. We have now only to consider the mode in which the changes in the law since the last edition was issued have been incorporated. Although the preface is dated October, 1874, it is perhaps a little unreasonable to expect that the legislation of last session should be fully noticed. But as the Married Women's Property Act Amendment Act is referred to in a note at p. 314, we might have expected to find, but we do not find, a similar notice of the Powers Law Amendment Act at p. 414. And although we observe some of the sub-sections of section 25 of the Judicature Act, 1873, set out in their proper places, there are others to which the only reference is a note. "See 36 & 37 Vict. c. 68, s. 25." Surely in a work intended for students the provisions of sub-section 3 ought to have been quoted in the part of the text relating to equitable waste. We have been unable to discover under the chapter relating to infants any reference to sub-section 10, and we have not found under the head of injunction the provision of the Judicature Act, 1873 (section 24, sub-section 5), which enacts that no cause before the High Court or Court of Appeal shall be restrained by injunction. On the other hand, it is right to say that references have been added to many recent decisions, and the index has been considerably improved.

SIR JOHN STUART ON BANKRUPTCY LAW.

SIR JOHN STUART has addressed to the *Times* a letter, in which he says, "When a Government of which Mr. Disraeli is the head promises reform in the administration of justice I am one of those who expect that it may be such a reform as will diminish expenses and delays, to which suitors and creditors are now and have long been unjustifiably exposed. I speak from an experience to the results of which I am anxious to draw attention.

The Legislature, in its well-intended efforts to reform the bankruptcy law and the law of joint stock companies, has inflicted on the public evils in the shape of delay and expense which are hardly credible to any man who has not well examined the subject. Let me begin with the existing system of Bankruptcy law. When a man becomes a bankrupt or insolvent, justice requires that the amount of his property should be ascertained and realised and applied in payment of his debts, and that all this should be done effectually with the least possible delay and at the smallest practicable amount of costs. This realisation and application of property is exactly the same sort of business which is required and transacted satisfactorily in so many cases in the judges' chambers in Chancery.

How does it happen that the delay and expense of performing this duty to the creditors of a bankrupt is at this time so very much greater than to the creditors of a testator or intestate? The answer is that the Chancery reforms in 1852 inaugurated by Lord St. Leonards have reformed the gross abuses and delays of the Masters' offices in the Court of Chancery. Why no such reform in the Bankruptcy system? The reason why not will be found plain enough. Lord Brongham was no sooner made Lord Chancellor than he undertook a complete reform of the Bankruptcy system. This reform he conducted upon a principle of reforming the law with which we have become too familiar. He separated Bankruptcy from the jurisdiction of the Court of Chancery, and his reform consisted in erecting a new court, with a gigantic and expensive staff of judges and officers, and an enormous amount of patronage for himself and his Government. But as to a speedy realisation of the bankrupt's estate and speedy payment of creditors at the smallest practicable amount of expense, it is not enough to say he did nothing. The delay and expense were vastly increased. It is admitted that up to this time and down to the very last and recent Bankruptcy Amendment Act the vices introduced by the Act of Lord Brongham continue. They will continue till the whole of the present vast and complicated machinery which he introduced is swept away.

I state with confidence the opinion entertained by myself and other persons of consideration and experience that the whole of that machinery should be dealt with as the machinery in Chancery of the Masters' offices, with its kindred and smaller abuses, was treated by the Chancery Acts of 1852—that is, that it should be abolished, and that administration of the assets of bankrupts should be conducted like the administration of the assets of a testator or intestate, by a staff of chief clerks and junior clerks under the direction of a Vice-Chancellor."

ADVOCATES' RIGHTS IN THE ISLE OF MAN.

A CASE came on at Castletown, in the Isle of Man, on Monday last relating to the privileges of an advocate. The case arose, says the *Liverpool Post*, in this way. A prosecution for alleged adulteration of tobacco being brought against a manufacturer, Mr. Laughton, a leading member of the bar, was retained for the defence, and he asked the head constable, the prosecutor, whether the case was not being brought at the instigation of the Governor, and put to him other questions, tending to show that the Governor had interfered in the prosecution. The witness objecting to answer the questions, the magistrate ruled that he was not bound to answer. Mr. Laughton commented strongly upon this refusal, and urged it was an adulteration of justice ten thousand times worse than the adulteration of tobacco with which his client was charged, if he had shown that the judge of the appellate court had instigated or interfered with this prosecution, using other ex-

pressions equally strong. After this speech had appeared in the papers, Mr. Laughton wrote to the Governor a letter in which he stated that from the refusal of the head constable to answer the question asked him he had drawn a conclusion without sufficient evidence unfavourable to the Governor, and used language which might appear disrespectful to the head of the insular Government, and possibly impugned his impartiality as an administrator of justice; that he had gone too far and had exceeded the just limits of an advocate, and he begged respectfully to retract the expressions which he had used, which might be construed inconsistent with the respect due to her Majesty's representative and the chief judicial authority of the island. To this the Governor, by his secretary, replied that Mr. Laughton had not expressed regret for his language; neither had he announced any intention to make it as public as the charge had been. Mr. Laughton replied that he had intended it as an expression of regret, and that he intended to publish the correspondence in the insular papers. To this the Governor replied that he looked upon the matter in the light that Mr. Laughton had grossly exceeded the liberty allowed to counsel, and challenged the right of advocates to comment upon the acts of persons not parties to the suit. Some further correspondence ensued, and it appeared that the Governor concluded, from Mr. Laughton's asserting this as a right, that he had withdrawn his retraction, and Mr. Laughton was summoned to show cause why he should not be struck off the list of practising advocates. The matter created a profound sensation in the Isle of Man, and a train full of people left Douglas to attend the court.

Mr. Laughton was represented by Mr. Adams, leader of the bar. The Governor entered the court, accompanied by the judicial members of the Council, Deemster Drinkwater, the Clerk of the Rolls, the Water Bailiff, and the Receiver-General. The Deemster opened the proceedings by referring to the report in the papers of Mr. Laughton's speech, which was admitted by counsel to be substantially accurate. Mr. Adams then said he had three things to ask. First, what was the charge of which his client was accused; secondly, who was the complainant; and thirdly, before whom was the charge to be tried. This appeared to take the court by surprise, and after a pause and reference to the newspaper reports, the Governor handed the papers to the Attorney-General for report, and the court was adjourned for two hours to enable him to do so. Upon its reassembling, the Attorney-General said that Mr. Laughton was charged with using expressions derogatory to the Lieutenant-Governor of the island, and calculated to bring the administration of justice in the island into contempt; secondly, that the charge was brought by the direction of the Governor; and lastly, owing to the peculiar position in which the Governor was placed with regard to the bar, that he was the only person who could try the charge, but he had called in the aid of the judicial members of the council to assist him. The Attorney-General then read the report of the proceedings as it had appeared in the *Manx Sun*, and contended that Mr. Laughton had exceeded his privileges as an advocate, and had been guilty of conduct derogatory to the Governor in his executive and judicial capacities. Mr. Adams made a most powerful speech, referring in telling terms to the anomalous position in which he felt himself in pleading before one who was complainant and judge in his own person. He read the correspondence that had passed between the Governor and Mr. Laughton, and argued that the Governor had considered the apology insufficient; but what was asked for was to give up a privilege of the bar—that of commenting upon the conduct of a prosecutor where that was necessary, in consequence of acts of a third person, and the right of referring to that third person by name. The court adjourned before the address was finished; and upon reassembling Mr. Adams was asked whether his client was prepared to avow that his letter contained no retraction beyond the assertion of this privilege. He replied that it was so; and thereupon the Governor read a judgment which accepted the apology, expressing regret that Mr. Laughton, after the summons, had not explained the ambiguity of his letter. Mr. Adams and Mr. Laughton were warmly cheered at the conclusion of the proceedings, and Mr. Adams announced that the bar were not done with this matter.

The friends of the late Mr. Daniel Burgess, Town Clerk of Bristol, have determined to establish a memorial of him by raising a sum of money to found a "Burgess Scholar ship" at the Bristol Grammar-school.

Notes.

THE QUESTION to which we referred last week as to requiring security to be given upon staying proceedings under a debtor's summons came again before Lord Justice James on Tuesday in *Ex parte Geilinger*. His Lordship, without laying down any new rule, expressed the rule already settled in very clear language. He said that the question which the registrar ought to look at is this—Is the respondent *bonâ fide* and reasonably disputing the claim, or is he only disputing it because he is unable to pay and wants to gain time? Is it a real dispute between the parties, or is it the case of a man on the verge of insolvency endeavouring to stave off a just demand? In the former case security ought not to be required; in the latter case it ought. His Lordship said that the duty of the registrar is to see for himself which way the balance of probability of success in an action lies. In the case before the Lord Justice a registrar had ordered security to be given. The Lord Justice thought that the evidence as to the alleged debt was insufficient, and referred the matter back to the registrar for further investigation.

IN A CASE of *Ex parte Harris*, before the Chief Judge on Monday, a bill of sale had been given to a mortgagee who had notice at the time of the commission of an act of bankruptcy, upon which the mortgagor was afterwards adjudged a bankrupt. Part, however, of the sum advanced consisted of money paid by the mortgagee in discharge of the claim of the holder of the two prior registered bills of sale of the property, which had been executed before the act of bankruptcy was committed, but these prior securities were not transferred to the new mortgagee. On the contrary, satisfaction of them was entered upon the register, and a fresh bill of sale was given to the mortgagee. The Chief Judge held that the new mortgagee had a good title against the trustee in bankruptcy to the extent of what had been paid by him in discharge of the prior bills of sale. This appears to be in accordance with the principle of the decision of the Chief Judge in *Ex parte Mutton* (20 W. R. 882, L. R. 14 Eq. 178).

IN ANOTHER CASE before the Chief Judge (*Ex parte Coates*) the question arose what is a "condition" within the meaning of section 2 of the Bills of Sale Act, 1854, which provides that if a bill of sale be made "subject to any defeasance or condition or declaration of trust not contained in the body thereof," such defeasance or condition or declaration of trust is to be taken as part of the bill of sale, and is to be registered with it, otherwise the bill of sale is to be void as if it had not been registered. Lees, a farmer, gave a bill of sale of his livestock and other effects to Collins, a money-lender, to secure the repayment of £130, which was to be paid in instalments. The deed gave the mortgagee power to take possession of the property at any time after its execution, and also a power of sale in case of default in payment of any of the instalments. Lees (in accordance with what we believe is the common practice in such cases) only received £100, the money-lender retaining £30 as a bonus for granting the loan. A contemporaneous memorandum was signed by Lees, by which he agreed that the £30 was to be paid to Collins in full notwithstanding that the money secured by the deed might be repaid, or the rights of the mortgagee under the deed enforced, before the expiration of the time for payment therein mentioned. The bill of sale was registered, but the memorandum was not. Before the first instalment became due Collins took possession of the property, but such a possession as the court held to be merely formal. Four days afterwards Lees filed a liquidation petition, and three days after that Collins seized and drove away some of the cattle included in the bill of sale, and sold them. The validity of the sale therefore depended upon the question whether the bill of sale had been effectually registered. The Chief Judge held that the memorandum was a condition within the meaning of section 2 of the Act, and consequently that as it had not been registered, the bill of sale was void as against the trustee under the liquidation. His Lordship thought that

the transaction was clearly such a fraud as the Act was intended to protect creditors against.

A CURIOUS INCIDENT is recorded in the *Gazette des Tribunaux* as having occurred at the sitting of the Assize Court of the Seine on the 27th ult. The jury brought in a verdict of guilty with extenuating circumstances against a prisoner charged with indecent assault. This result was obviously wholly unexpected by his counsel (M. Daniel), who manifested great astonishment, and forthwith wrote out, read, and deposited in the office of the court a paper, in which he stated that the charge having been abandoned by the public prosecutor, he, as the prisoner's counsel, had not thought it necessary to do more than address a very few words to the jury; that under these circumstances the prisoner had not been properly defended, and he concluded by praying the court to make a declaration to this effect. The judges retired to consider the question, but speedily returned into court, and the president said that doubtless the prisoner's counsel had presented all the observations which he thought necessary in the interests of his client, and the court must decline to assent to a motion founded solely on the inadequacy of a defence to which every latitude had been given. The prisoner was then sentenced to two years' imprisonment.

General Correspondence.

THE JUDICATURE ACT, 1873.

[To the Editor of the Solicitors' Journal.]

Sir,—As the effect which will be produced by the Judicature Act seems in some respects to be very doubtful, or at least very little understood at present, may I venture to ask space in your columns for these few lines, in the hope of provoking discussion on what seems to me a question of some importance.

I will confine myself to one single point, though others of the same kind might be brought forward.

It is this—What will be the effect of the Act in cases where the Court of Chancery, in dealing with property partly legal and partly equitable, has hitherto "followed the law" as to the former, but applied its own principles in dealing with the latter?

In administration, for instance, of the estates of deceased persons different rules are applied in the case of legal from those which are put in force as to equitable assets. And though, by the recent Act, the old order of priority between specialty and simple contract creditors is abolished, there are still important points of difference between legal and equitable assets in an administration suit—e.g., as to an executor's right to retain his own debt and the right of judgment creditors to a priority of payment.

Now the Act (section 24) provides that equitable rights, claims, and defences shall be taken notice of in all courts, and (section 25) that not only in the particular cases enumerated, but "generally in all matters not hereinbefore particularly mentioned, in which there is any conflict or variance between the rules of equity and the rules of the common law with reference to the same matter, the rules of equity shall prevail."

What is to be the effect of this as to administration of assets? The present rules of equity being that legal assets shall be applied in one way, and equitable assets in another, can it be said that there is any conflict here between common law and equity in the same matter?

If the result is to be that all assets are to be dealt with as equitable, a great change in the law will have been effected by a side-wind, or, at all events, without any special discussion in Parliament, and without express words.

On the other hand, if there is no "conflict or variance" in this matter, the fusion of law and equity will in this respect be a nullity, and the curious distinctions between legal and equitable assets will be preserved for the amusement of future generations, like an ancient fossil set in modern cement.

Some of the special cases mentioned in the sub-section of the 25th section would have been covered by the sweeping enactment in the 11th sub-section which I have

quoted, and one would expect to find some reference to the class of cases to which I have alluded; for the effect which the Act is intended to have upon them seems doubtful.

HENRY W. MAY.

Lincoln's Inn, Dec. 10th, 1874.

THE BANKRUPTCY SYSTEM.

II.

[To the Editor of the Solicitors' Journal.]

Sir,—Since the publication of my letter in your last week's issue, the only gentleman who has raised any objection to the system proposed by me, of circulating copies of the debtor's accounts, &c., amongst his creditors, having the debtor examined in court prior to the meeting, and subsequently holding the meeting in the way now usual in liquidation, is an accountant, who informed me that it might do very well, but that it would be *very expensive*. Any thing which leads to increased expense is to be deprecated, but I ask you to allow me to say a few words to show that my plan would cause no additional expense. It is invariably the rule (in London, at least, and I believe all over the country), where an accountant is employed before the meeting, for him to lay on the table at the meeting a statement of the debtor's affairs, including a list of his creditors. This is lithographed, and costs very little. If this can be done at the meeting, it can be done before, and the cost of lithographing and postage is really so ridiculously small as not to be worth consideration. Three times the expense of this might be saved in most cases where injunctions are obtained restraining creditors from suing, by the adoption of a different mode of restraining proceedings. The expense of holding the public examination of the debtor separately from the first meeting, would cause no more expense than there is at present in bankruptcy or in proceedings which result in a composition. The latter require two meetings, and in the former, in consequence of the want of information, and no statement being made verbally, it is not infrequent that there have to be several adjournments for further information to be obtained, and of course each adjournment is just as expensive as the meeting.

Continuing my observations of last week, I would observe that the present mode of enjoining creditors from suing, &c., seems unnecessarily cumbrous and expensive, and leads to unfairness. At present the expense of restraining creditors is usually nearly as much as that of filing a petition. The usual practice is for the debtor, on filing the petition, and before any of his creditors know who the others are, to get one or two friendly creditors to join with him in applying for a receiver. This receiver is generally a friend of the debtor, and in collusion with him; the unfairness which results is that the receiver, having been appointed, is enabled to canvass the creditors for the appointment of trustee, and to urge in support of his supposed claim that he has been appointed receiver *by the court*, and the matter having got into his hands as receiver, the creditors are unwilling as a rule, without some very strong reason, to remove the management of the estate from him. For this evil there would seem to be two remedies. One is to order, as under the Acts of 1849 and 1861, the messengers, where necessary, to take possession of the debtor's estate, and to hold it until the trustee is appointed. The other remedy, which I believe to be impracticable without continuing present evils, is to insist on a majority of creditors supporting the appointment of receiver. If the latter course were practicable it would cause delay, and would, in fact, necessitate as much expense and trouble as are caused at present. When the sheriff is actually in possession of the goods of a debtor, I confess it has always seemed to me to be a gross waste of money and time to go through the form of appointing a receiver and issuing enjoining orders. Why should not the sheriff, on being served with a properly authenticated notice, deal with the estate as the court may direct, and in fact act as a receiver?

Mentioning the sheriff brings to my recollection another point. I confess I have always thought the law as it stands very hard measure for a diligent creditor. Creditors stand by and see one of their number going to the expense of trying an action, levying an execution, &c., and then come in, and whilst he gets only a dividend on

his debt and costs, the other creditors get the dividend on their debts; so that supposing the estate should realise 5s. in the pound, if the creditor's debt is £50 and the costs (as they may easily be where the debtor defends an action), another £50, he will only get 5s. in the pound on £100, that is, £25, not enough to pay his costs, to say nothing of his debt, whilst the other creditors get 5s. in the pound on their debts. Might there not be some connecting link (under the new judicature system it would seem easy) between the Court in which the creditor recovers a judgment and the Bankruptcy Court, whereby the proceedings in the action might be carried on to Bankruptcy without any break, and whereby, also, the creditor might get his costs paid as part of the costs of the bankruptcy?

Another evil, which seems to admit of easy remedy, is the frequent necessity for a number of personal services on a debtor. This enables a dishonest debtor often most effectually to baffle his creditors. If an action is commenced the debtor must be personally served with the summons or an order for leave to proceed obtained. This order, if the debtor is a wily one, is most difficult to get. Then a debtors' summons must go through a similar process, if the course by debtors' summons—and no other course is possible with a wary debtor—is taken. Then the petition must be dealt with in the same way. Surely one service should be sufficient. The writ of summons in an action might contain a notice that bankruptcy proceedings might be taken without further notice unless the debtor enter an appearance and give a proper address for service, in which case all subsequent proceedings should be left at that address. It is quite right that precautions should be taken against unjustly adjudicating a man bankrupt, but reasonable facilities, which I think it must be admitted he has not at present, should be given to the creditor. At least, before a debtor is allowed to be heard in an action or on a debtors' summons he ought to be made to give an address where all subsequent proceedings may be left with him.

There are many persons who owe sums of money, small in themselves but large in the aggregate, but a creditor for an amount under £50 is, under the present law, powerless. Why should not such a creditor be allowed to file a bankruptcy petition against his debtor, and, upon depositing a sufficient sum for that purpose, the court advertise for the debtor's creditors, and if sufficient creditors come in, adjudicate? At present persons are afraid to advertise for the creditors of a debtor owing to the danger of proceedings for libel. If it were done by the court there would be no such fear. If necessary, it might be insisted that the person filing the petition should be an unsatisfied judgment creditor.

One of the most serious defects of the present law, and one which should be remedied at once, is the distinction drawn by the Act of 1869, (due, as I think, in the first instance, to a clerical error) between the discharge of the bankrupt and the discharge of his estate. By section 15 the property of the bankrupt divisible amongst his creditors is to comprise "all such property as may belong to or be vested in the bankrupt at the commencement of the bankruptcy, or may be acquired by or devolve on him during its continuance." The meaning of the words "during its continuance" is shown by section 48, which provides that "when a bankruptcy is closed, or at any time during its continuance, with the assent of the creditors, testified by a special resolution, the bankrupt may apply to the court for his order of discharge, &c." For the effect of this I cannot do better than quote from that very useful book, *The Law and Practice in Bankruptcy*, by Mr. Registrar Roche and Mr. Registrar Hazlitt, their note to the 15th section, which is as follows:—"The bankruptcy continues until 'closure' takes place, as prescribed by section 47. Thus property acquired by or devolving upon the bankrupt during the continuance of the bankruptcy vests in the trustee until the closure; but creditors may at any time, by a resolution, grant the discharge of the bankrupt; the effect of which is, subject to the exception of Crown debts, &c., to release the bankrupt from all debts provable under the bankruptcy (section 49). Therefore, unless the bankruptcy be formally closed, this state of circumstances might arise—a bankrupt who has been released from all his debts, and who owes not a farthing in the world, is still kept

subject to the law, inasmuch as any property acquired by him or devolving upon him, even an estate of £20,000 a year, must vest in the trustee. These remarks are equally applicable to discharges granted by operation of law after payment of 10s. in the pound, &c." The position of an estate in liquidation is precisely the same as in bankruptcy, for by section 125 sub-section 9 it is provided that "the close of the liquidation may be fixed and the discharge of the debtor and the release of the trustee may be granted by a special resolution of the creditors in general meeting." The usual practice is for the debtor under a liquidation petition to get his discharge as soon as he can, and consider that sufficient, and there is an impression amongst our branch of the profession, which I have often had to combat, that an order of discharge releases the bankrupt's estate; but this is clearly not so, and great injustice has occurred, and is daily occurring, on this account. The debtor's discharge having been granted on his yielding up all his estate in liquidation, but the trustee being dilatory or the estate being one which requires a long time to collect, the debtor is practically prevented from starting in any business, so as to earn anything considerable for the support of himself and his family, until the bankruptcy or liquidation is closed. In a subsequent letter I shall make a suggestion as to keeping trustees up to their work diligently, but I pass on to say that it is seldom that a meeting to close a liquidation is called. The case is different with bankruptcy, because the comptroller is constantly requiring the trustee to render accounts, and the only way for the trustee to get rid of this is to close the bankruptcy. A case of very great hardship from this cause came under my notice a short time since, where a man's hard-earned gains, the only support of himself and his family for nearly a year, were swept into his estate on the application of the trustee. It is said the worst use you can put a man to is to hang him, but the worst you can put a debtor to is to keep him idle. Creditors very often at the first meeting in liquidation express their intention of giving a discharge to the debtor, under the impression that they are discharging not only him but his future estate, and the argument in favour of a discharge often used at meetings is this:—"The man has given up all he has, what is the use of preventing him from earning his living for the future by keeping from him his discharge," but the good intentions of the creditors are frustrated by the section above quoted. It may be noted that under the former law a discharge was a discharge of estate as well as person, and so it should be now. A discharge is no use now except as something to plead to an action brought by a creditor who ought to prove, but the court will restrain such a creditor from suing, except to try a right. This supercedes the necessity for a discharge having only the effect it has at present.

E. F. BUTTNER HARSTON.

1, Grosvenor-buildings, Guildhall, E.C.,
Dec. 9, 1874.

Societies.

ARTICLED CLERKS' SOCIETY.

A meeting of this society was held on Wednesday, the 9th inst., the subject for the evening's debate being—"That it is necessary and advisable to abolish the Home Circuit." The motion was carried by the casting vote of the chairman.

Mr. Justice Mellor, in delivering the charge to the Grand Jury at the opening of the Liverpool Assizes, said that he had been one of those who long looked with horror upon a return to the system of flogging, but he was convinced that further legislation was necessary. He would extend the punishment to other crimes of violence than robbery—to certain rapes, assaults upon women and children, and also to offences by persons not always of advanced age, such as arson, throwing stones, and obstructions on railways. He had often regretted he had not power to order flogging in these cases.

Obituary.

MR. FREDERICK BRANDT.

We regret to announce that Mr. Frederick Brandt, barrister, died on Sunday last after a very short illness, at the age of fifty-four. The deceased was called to the bar at the Inner Temple in Easter Term, 1847, and joined the North Wales and Chester Circuit, and the Cheshire and Knutsford Sessions. He had obtained a fair share of local business, and had acted for several years as one of the revising barristers for the county of Chester. He was much esteemed by his professional brethren, and was known to the members of the Inns of Court Corps as a most zealous volunteer. Mr. Brandt was the author of a work on "Games, Gaming, and Gamblers' Law," and also of some small books of a lighter character. He had been for many years one of the legal reporters for the *Times*, and was attending to his duties in court up to Friday last week.

Appointments, &c.

Mr. WILLIAM COLE BEASLEY, who has been appointed Recorder of Hull in the room of Mr. Samuel Warren, Q.C., resigned, was educated at Lincoln College, Oxford, of which college he was a Scholar, and he graduated as B.A. in 1836, and as M.A. in 1839. After several years' practice as a special pleader, he was called to the bar at the Inner Temple in Easter Term, 1853, when he joined the Midland Circuit, and the Birmingham, Warwick, Northampton, and Lincolnshire sessions. He has been for some time one of the prosecuting counsel to the Treasury at the Central Criminal Court, and he has for some years acted as assistant barrister at Birmingham, presiding in the second court at the Quarter Sessions. In July last Mr. Beasley succeeded Sir John Hardley Wilmot, Bart., M.P., in the Recordership of Warwick, which he has resigned on being transferred to Hull. Mr. Beasley is also junior counsel to the Customs.

Mr. WILLIAM ERNEST BROWNING, barrister, has been appointed Chief Justice of the Leeward Islands in the room of Mr. Julian Pauncefote, appointed Assistant Under-Secretary of State for the Colonies. Mr. Browning was called to the bar at the Inner Temple in Hilary Term, 1853, is a member of the Home Circuit, and is known as the author of a work on "Practice in Matrimonial Causes."

The Hon. ROBERT ST. JOHN FITZWALTER BUTLER, barrister, has been appointed a Master of the Court of Exchequer, in the room of Mr. William Henry Walton, resigned. Mr. Butler is the third son of the present Lord Dunboyn, and was born in 1844. He was called to the bar at the Inner Temple in Michaelmas Term, 1869, and has practised as an equity draftsman and conveyancer.

Mr. WILLIAM WILKINSON BRUNTON, solicitor and notary of West Hartlepool, has been appointed Clerk to the County Magistrates at Castle Eden at a fixed salary of £350 a year, in succession to Mr. Charles Munro Barker resigned. Mr. Brunton was admitted a solicitor in 1852, and is also Clerk to the West Hartlepool Improvement Commissioners and the Port Sanitary Authority of the Hartlepools.

Mr. WALTER REGINALD COLLINS, solicitor, of Swansea, has been appointed a Commissioner for taking affidavits in all the courts of common law.

Mr. THOMAS BROOKING WILLIAMS, solicitor and notary, of St. Ives, Cornwall, has been appointed a Commissioner for taking affidavits in Chancery.

The magistrature of the Wolverhampton County Court, and the clerkships to the Bilston County Magistrates and the Bilston Local Board of Health, have become vacant by the death of Mr. Charles Gallimore Brown, of the latter place.

Owing to the prevalence of an epidemic of typhoid fever at Lewes, the Sussex Winter Assize will be held this year at Brighton.

Legal Items.

M. Cuniac, formerly president of the Appeal Court at Algiers, took his seat on the 18th ult. as one of the judges of the Court of Cassation at Paris, in the room of M. Dagallier.

We recorded last week the death of the tipstaff of the Court of Exchequer. The Lord Chief Baron has decided not to appoint any one to the vacancy. It appears that only once during two years were the services of the tipstaff called into requisition, and then there was no substantial reason why the performance of the functions of the office should not have been relegated to the chief usher, as they henceforth are to be.

It is stated that the Associated Chambers of Commerce have memorialised the Lord Chancellor for an alteration of clause 4 of the bill which he introduced into the House of Lords last session for amending the laws relating to County Courts, and which, it is understood, his lordship intends to reintroduce next session. The clause in question provided for a judge calling in two mercantile experts to act as paid assessors to advise on points connected with trading affairs. The alteration suggested is to the effect that unless the merchants called in are made judges of the customs of trade and such matters, and are unpaid like the magistracy, it will be impossible to obtain the best and most competent men to act.

At a recent meeting of the Property Committee of the Hull Corporation, the Town Clerk (Mr. Roberts) reported that he and the Mayor had received letters to the effect that the Recorder (Mr. Warren, Q.C.) had resigned his appointment. The choice of a successor was with the Crown, but the fixing of the salary was with the corporation. As there was recently a movement for increasing the salary, and the fixing of it would probably have to take place at the next council meeting, on the 10th December, he now mentioned the matter. The business of the court had recently increased to a considerable extent. After several expressions of opinion for and against an advance of the present salary of £200, and that the holding of the position gave the holder prestige, and that salary was not, therefore, so much an object, it was resolved that the Town Clerk report as to the duties and the salaries paid in other towns.

The death is announced of Chief Justice Read, of Pennsylvania. We learn from a contemporary that he was born in Philadelphia in 1797; was called to the bar in 1818; and was nominated Attorney-General of Pennsylvania in 1846. He resigned that office soon after, and became the leader of the bar. His eloquent and exhaustive argument in the famous *Christiana Treason Trial* in 1851 was so masterly as to win the warm admiration of English lawyers, and drew from his associate, Thaddeus Stevens, who was to close the case, this remarkable tribute:—"I can find nothing to add." In 1858 he was elected judge of the Supreme Court of Pennsylvania by 30,000 majority. During the rebellion the learned decisions of Chief Justice Read lent a powerful support to the cause of the general Government. He was likewise the inspirer of some of the most important measures adopted by Congress. He retired from the bench on January, 1 1874.

A judgment of importance to life assurance companies, says a correspondent of the *Economist*, has been given by the Civil Tribunal of Paris. A. M. Buigny, who had insured his life with the Gresham for a sum of 20,000*fr.*, poisoned himself last year in a moment of delirium during an attack of brain fever. His widow informed the company of the circumstances of his death, and claimed the sum insured, which the Gresham refused to pay, on the ground that it was exonerated by the suicide of the insurer, according to the terms of the policy. The present action was brought, and the court gave judgment to the effect that suicide in the judicial sense was a voluntary act performed in a state of consciousness, and not a purely material incident; that the mere fact of self-destruction was not sufficient to relieve the company from its liability, unless it could prove that the insurer had taken his own life intentionally, and in a sound state of mind; and that consequently the parties should be admitted to furnish

proofs of their respective allegations. As the facts were not disputed, this is virtually a verdict in favour of the plaintiff.

A blunder accidentally crept into the Building Societies Act of last session, whereby a measure intended to be permissive in its operation has been made compulsory on all societies. Representations on the subject have been made from Liverpool to the Home Office, and the following official letter has been received:—"Whitehall, 30th November, 1874.—Sir,—In acknowledging the receipt of your letter of this day's date, I am directed by Mr. Secretary Cross to inform you that he is advised that by clause 8 of the Building Societies Act every subsisting building society, whether it applies for a certificate of incorporation or not, is brought under the Act, and he cannot issue any rules except in accordance with the Act. At the same time he recognises that the present form of clause 8 was the result of an accident, which has changed the Act from a permissive into a compulsory one. He will, therefore, gladly assist the passing of a bill at the commencement of next session to correct the mistake.—I am, Sir, your obedient servant, HENRY SELWYN-IBBETSON."

A case decided by Vice-Chancellor Hall on Thursday last is thus reported in the *Times*:—"A Mr. Thomas Edmett died in October, 1871, having, by a codicil to his will, made in 1861, bequeathed as follows:—"I bequeath to my faithful servant, Elizabeth Osborne, on condition that she take care of my favourite dog, an annuity of £50 per annum, for her life, to be paid to her quarterly." The annuity was given to her for her separate use, with a restraint on anticipation. The testator had, at the time of his will, a favourite dog called Romp, which died before him. He, however, subsequently had another favourite dog, called Sambo, which was in his possession at the time of his death, and is still living. Elizabeth Osborne had taken care of Sambo as well as Romp. She claimed to be entitled to the annuity of £50, discharged from the condition of taking care of the dog. The Vice-Chancellor held that Elizabeth Osborne was entitled to the annuity for her life. He hoped she would take care of Sambo, but he should not make the annuity contingent on her doing so.

"Lincoln's Inn" writes to the *Times* with reference to the Limitation Bill of last session. "The effect of the third clause in section 2 will clearly be, in many cases, to cut down the twenty years allowed by the old law to remaindermen to six only, while that of the fourth clause will in some cases be to leave a remainderman with an estate which he or his heir may hope to enjoy personally, but which neither will be able to sell, settle, or give away by will. For instance, let us suppose lands settled on A. for his life, and after his death on B. during his life, and after his death on C. in fee simple, and that a trespasser enters in 1874 and holds possession during A.'s life. Let us further suppose that A. dies in 1881, and B. fails to take any proceedings within six years after A.'s death. At the expiration of these six years (instead of twenty by the old law) B. will be barred. Notwithstanding B.'s being barred, in 1887 C. or C.'s heir will still have six years after B.'s death within which to recover, but the wording of the Act is such that after the entry of the trespasser in 1874 it is impossible for C. to alienate by deed or will, for if he attempt to do so the alienee will be barred by virtue of B.'s becoming barred in 1887. Is not this absurd and unjust, and may one not ask whether any legal member of either House ever read this Bill?"

Courts.

BANKRUPTCY.*

(Before Mr. Registrar Peprs, sitting as Chief Judge).

Nov. 27.—*Ex parte Bodel, re Bodel.*

New first meeting of creditors allowed in a case where liquidation by arrangement has been resolved upon; the names of liability creditors, whose debts affected the majority, having been inadvertently omitted from the list of creditors to whom notice of the first meeting was sent.

This was an application on behalf of a debtor who had

* Reported by J. C. Broun, Esq., Barrister-at-Law.

filed a petition for liquidation, that a meeting of creditors should be held in lieu of a meeting which had already taken place.

At the meeting a majority of the creditors present or represented passed a resolution for a liquidation by arrangement, but upon production of the papers before the registrar it was ascertained that notices of the first meeting had not been given to creditors whose debts amounted to £7,000, and, the majority being affected, registration was disallowed. The omission appeared to have arisen thus:—The creditors, two in number, were the holders of bills of exchange upon which the bankrupt was liable as indorser, and their names did not appear in the list of unsecured creditors but in the list of liability creditors, and although some inadvertence, they were not included in the list of persons to whom notices should be sent.

Brough in support of the application. In the present case, through a mere slip, the proceedings have become abortive. The debtor now desires that a fresh meeting may be held. There is no suggestion of *mala fides*, as in *Ex parte Cobb, re Sedley*, 21 W. R. 777; the resolution has become invalid by mere inadvertence. A new first meeting of creditors was allowed in a case where liquidation by arrangement had been resolved upon; the accountant engaged in the preparation of the statement having inadvertently included debts not due and excluded the names of persons claiming to be creditors: *Ex parte Cohen re Cohen*, 18 S. J. 283.

R. Griffiths, for creditors, in support of the application. *Sorrell* (solicitor), *Irvine* (solicitor), and *French* (solicitor), also in support of the application, the aggregate amount of the assenting creditors being £30,000 out of a total of £35,000.

Munns (solicitor), for two creditors, one of whom had presented a petition for adjudication, *contra*.—Taking the amount of the omitted creditors, and adding it to the aggregate of the creditors whose proofs were objected to, the debtor had not a majority. The case falls, therefore, within the principle of *Ex parte Cobb, re Sedley*, where the Lords Justices refused to allow a new meeting of creditors to be held.

Without calling for a reply,

PERYS, Registrar, said, I am of opinion that this is a case for a new first meeting. A large proportion of the creditors wish it. I am always cautious when the application is made by the debtor without the assent of creditors. Here notice has been given. The objections taken to the proofs may be cured.

Application granted, with leave to use the old proofs and proxies, without prejudice to any objection to them.

Solicitor for the debtor, *Broughton*.

Court Papers.

PRIVATE BILLS.

THE following classified list of Private Bills, for the construction of railways, tramways, harbours, and other public works, for which application will be made in the ensuing session of Parliament, and also of intended applications for provisional orders, in respect of which plans had been deposited at the Board of Trade up to the latest period allowed by the law, is given by the *Daily News*:—

Railways.—Aldgate and Bow. Banbridge Extension. Brewod and Wolverhampton (Deviation). Boston and East Coast Railway and Pier. Bristol and Exeter. Bundoran and Sligo. Buckinghamshire and Northamptonshire Railways (Union Railway). Boston and Frieston Shore Railway and Pier and Reclamation. Bridgewater. Ballymena, Port Glenone, and Kilrea. Cambrian. Channel Tunnel Company (Limited). Caledonian (Additional Powers). Caledonian (Glasgow Central Station Connecting Lines). Cheshire Lines Committee. Camelford, Altaraum, and Launceston. Charwood Forest. Derry Central. Dublin, Wicklow, and Wexford. Ely and Bury St. Edmund's (Light) Railway. East and West Junction. Ely and Newmarket. Eastern Metropolitan. Felixstowe Railway and Pier. Fishguard. Great Western. Glasgow and Kilmarnock Junction Line. Great Northern. Great Eastern. Hogsthorpe and Chapel. Honnslow and Metropolitan. Hants Coast. Ipswich and Felixstowe. Ingleby, Bilsdale,

and H-Imley. Kildare, Curragh, and Newbridge. London and North-Western (New Lines and Additional Powers). London and North-Western (Bletchley, Northampton, and Rugby). Llanelly and Myndd Mawr. London and South-Western (Various Powers). Lancashire and Yorkshire (New Works and Additional Powers). London, Tilbury, and Southend. London, Brighton, and South Coast. London Chatham, and Dover. London and St. Katharine Dock Company. Lyme Regis Railway (Extension to Bridport). London, Beaconsfield, and High Wycombe. Midland (Additional Powers). Midland and North-Eastern. Manchester, Sheffield, and Lincolnshire (Additional Powers). Metropolitan District. Maidstone and Ashford. Merrybent and Darlington. Midland, Great Western, Dublin and Meath, and Navan and Kingcote Railways. Maidstone and Kent Coast Junction. North British. North Union. North Eastern. Northampton and Blisworth. North Leicestershire. Orwell Railway and Pier. Plymouth and Dartmoor. Ryde and Newport Railway and Cowes and Newport Railway. Regent's Canal and Dock (Railways). Ramsey Somersham. Sutherland and Caithness. Sligo, Leitrim, and Northern Counties. South Devon. Swindon and Highworth (Light) Railway. South Eastern. Sheffield and Midland Railway Companies Committee. Snowdon. South Dublin Railway and Land Reclamation. South Devon and Princetown Railway. Sevenoaks, Maidstone, and Tunbridge and South Eastern Railways Junction. Sevenoaks, Maidstone, and Tunbridge. Sutton Bridge Dock (Railway). Tunbridge Wells and Eastbourne. Tiverton and North Devon. Thorpe and Great Clacton Railway and Pier. Tees Conservancy (Teeside Railway and Timber Ponds). Teign Valley. Whitehaven, Cleator, and Egremont. Wigan Junction Railways. Whitby, Redcar, and Middlesborough Union. West Staffordshire. Waterford, New Ross, and Wexford Junction. Wednesfield and Wyrley Bank. Worthing Railway (Accommodation). Waterford and Central Ireland, Kilkenny Junction and Central Ireland Railways. Wye Valley.

Tramways.—Nottingham and Shepherd's Bush Tramway. Dublin (North) Street Tramways.

Miscellaneous.—West Kent Drainage. Newport (Monmouthshire) Gas. Peterhead Harbour (Level Crossing of a Railway). Ryde Pier Company. Wisbeach Dock. Hythe Pier. Metropolitan Gas Bill (New Works). Barrow-in-Furness Corporation. East Northumberland Water. Dalkey Township (Provisional Order). Margate Consumers' Gas. Eastbourne Waterworks.

Provisional Orders.—Tramways.—Manchester Corporation Tramways. West London Tramways. Bristol and Eastern District Tramways.

Gas and Water.—New Quay Waterworks. Bognor Water. Great Marlow Water. Brighton and Hove General Gas Company. Heckmondwike Gas. Littlehampton Gas. Newport, Carisbrooke Water, Isle of Wight. Maidenhead Water (W. Bell). Ditto (W. T. Manning).

Gazette notices were also deposited with reference to the following applications for provisional orders:

Bridgend (Glamorganshire) Gas and Water Company. Blackburn Gas. Newton Water Company. North Brierley Gas. Wolverhampton Gas. Godalming Gas. Weymouth Gas Company.

In the Harbour Department.—Bills.—Borrowstowess Town and Harbour Improvement. Boston and East Coast Railway and Pier. Bundoran and Sligo Railway. Boston and Freeston Railway and Reclamation. Bridgewater Railway. Channel Tunnel Company. Cambrian Railways. Cork Improvement. Cardiff Borough Extension Improvement and other Works. Caledonian Railway (Glasgow Station Connecting Lines). Caledonian Railway (Additional Powers). Cork Harbour. Dover Pier and Harbour. Ely and Newmarket Railway. Felixstowe Railway and Pier. Fishguard Railway Great Western Railway. Great Eastern Railway. Hants Coast Railway. Ipswich and Felixstowe Railway and Pier. London and North Western Railway (New Lines and Additional Powers). Llanelly and Myndd Mawr Railway London and South Western Railway (Various Powers). Leith Harbour and Docks. London and St. Katharine Docks Company. Lyme Regis Harbour. Lyme Regis Railway (Extension to Bridport). Metropolitan Gas. Milford Docks. Metropolitan Market and Foreign Cattle Market. Deptford. North Union Railway. North British Railway. North Eastern Railway. Orwell Railway and Pier. Peterhead Harbour. Plymouth and Dartmoor Railway. Ryde and Newport and Cowes Railway. Ryde Pier. Romford

Canal. Regent's Canal and Dock. Sutton Bridge Dock. South Dublin Railway and Land Reclamation. Stockton and Middleborough Waterworks. Scarborough Marine Aquarium Company. Stockton Extension Improvement and Dock. Sevenoaks, Tunbridge, and Maidstone Railway. Thorpe and Great Clacton Railway and Pier. Tees Conservancy. West Kent Drainage. Waterford, New Ross, and Wexford Junction. Wisbech Docks. Wye Valley Railway.

Provisional Orders. — 1. Carrickfergus Harbour. 2. Withernsea Pier. 3. Roshearty Harbour. 4. Thorpe and Great Clacton Railway and Pier Company. 5. Hythe Pier. 6. Folkestone Promenade Pier. 7. Bournemouth Promenade Pier. 8. Macduff Harbour. 9. Carlingford Lough (Further Improvement). 10. Dalkey Township.

COURT OF CHANCERY.

4th December, 1874.

Whereas from the present state of the business before the Vice-Chancellors Sir R. Malins and Sir J. Bacon respectively, it is expedient that a portion of the causes standing for hearing before the Vice-Chancellor Sir Richard Malins should be transferred to the Vice-Chancellor Sir J. Bacon. Now I do hereby order that the several causes mentioned in the schedule hereunto subjoined be accordingly transferred from the Book of Causes standing for hearing before the Vice-Chancellor Sir R. Malins to the Book of Causes for hearing before the Vice-Chancellor Sir James Bacon. And this order is to be drawn up by the Registrar and set up in the several offices of this court.

CAIRNS, C.

Martin v Gray Motion for decree 1873 M 117
 Edwards v Griffiths Cause with witnesses 1871 E 69
 Turner v Moy Motion for decree 1873 T 53
 Sayers v Corrie Motion for decree 1873 S 195
 Hodgkinson v Crowe Motion for decree 1873 H 124
 Thomas v Jones Cause 1873 T 27
 Coudery v Bradford Motion for decree 1873 C 262
 Wallwork v Sussum Motion for decree 1873 W 258
 Burbridge v Raikes Cause 1872 B 238
 Churchill v Salisbury, &c., Railway Motion for decree 1873 C 132
 Whitbread v Flight Motion for decree 1873 W 180
 Whiting v Attenborough Motion for decree 1873 W 137
 Ramsden v Lister Cause 1872 R 68
 Baxter v Bowen Motion for decree 1874 B 18
 Wier v Tucker Cause 1871 W 64
 Homer v Hipkiss Cause with witnesses 1872 H 231
 Titcombe v Thain Cause 1873 T 88
 Umfreville v Johnson Cause 1873 U 19
 Otley v Mitchell Cause 1873 O 14
 Marshall v Marden Motion for decree 1874 M 53
 Guedalla v Guedalla Motion for decree 1873 G 157]
 Annesley v Hutton Motion for decree 1873 A 77
 Firth v The Midland Railway Company Motion for decree 1872 F 107
 Syers v Syers Motion for decree 1872 S 246
 Gibbs v Elworthy Motion for decree 1873 G 85
 Rose v Dormer Motion for decree 1874 R 6
 Hughes v True Motion for decree 1874 H 27
 Watkins v Powell Cause 1873 W 113
 Knight v Lawless Motion for decree 1874 K 25
 Jolliffe v Hayward Cause 1872 J 102

CAIRNS, C.

The court will not hear any of the above causes before Hilary Term next.

COURT OF PROBATE.

ADDITIONAL RULES AND ORDERS for her Majesty's Court of Probate in respect of Contentious Business:—

Service of Notices, &c.

110. It shall be sufficient to leave all notices and copies of pleadings and other instruments which by the rules and orders of the court are required to be given or delivered to the opposite parties in a cause, or to their proctors, solicitors, or attorneys, and personal service of which is not expressly required, at the address furnished by such parties respectively.

111. When it is necessary to give notice of any motion to be made to the court, such notice shall be served on

the other parties who have entered an appearance four clear days previously to the hearing of such motion, and a copy of the notice so served shall be filed in the registry with the case for motion, but no proof of the service of the notice will be required, unless by direction of the judge, or of the registrars in his absence.

112. If an order be obtained on motion without due notice to the opposite parties, such order will be rescinded, on the application of the parties upon whom the notice should have been served; and the expense of and arising from the rescinding of such order shall fall on the party who obtained it, unless the judge shall otherwise direct.

113. When it is necessary to serve personally any order or decree of the court, the original order or decree, or an office copy thereof, under seal of the court, must be produced to the party served, and annexed to the affidavit of service marked as an exhibit by the commissioner or other person before whom the affidavit is sworn.

Change of Proctor, Solicitor, or Attorney.

114. A party may obtain an order to change his or her proctor, solicitor, or attorney upon application by summons to the judge, or to the registrars in his absence.

115. In case the former proctor, solicitor, or attorney neglects to file his bill of costs for taxation at the time required by the order served upon him, the party may, with the sanction and by order of the judge or of the registrars, proceed in the cause by the new proctor, solicitor, or attorney, without previous payment of such costs.

Order for the immediate Examination of a Witness.

116. Application for an order for the immediate examination of a witness who is within the jurisdiction of the court is to be made to the judge, or to one of the registrars in his absence, by summons, or if on behalf of a plaintiff proceeding in default of appearance of the parties cited or warned in the cause without summons, before one of the registrars, who will direct the order to issue, or refer the application to the judge, as he may think fit.

117. Such witness shall be examined *viva voce*, unless otherwise directed, before a person to be agreed upon by the parties in the cause, or to be nominated by the judge or by the registrar to whom the application for the order is made.

118. The parties entitled to cross-examine the witness to be examined under such an order shall have four clear days' notice of the time and place appointed for the examination, unless the judge or the registrar to whom the application is made for the order shall direct a shorter notice to be given.

Commissions and Requisitions for Examination of Witnesses.

119. Application for a commission or requisition to examine witnesses who are out of the jurisdiction of the court is to be made by summons, or if on behalf of a plaintiff proceeding in default of appearance, without summons, before one of the registrars, who will order such commission or requisition to issue, or refer the application to the judge, as he may think fit.

120. A commission or requisition for examination of witnesses may be addressed to any person to be nominated and agreed upon by the parties in the cause, and approved of by one of the registrars, or for want of agreement to be nominated by the registrar to whom the application is made.

121. The commission or requisition is to be drawn up and prepared by the party applying for the same, and a copy thereof shall be delivered to the parties entitled to cross-examine the witnesses to be examined thereunder two clear days before such commission or requisition shall issue, under seal of the court, and they or either of them may apply to one of the registrars by summons to alter or amend the commission or requisition, or to insert any special provision therein, and the registrar shall make an order on such application, or refer the matter to the judge. A form of a commission and requisition is given in the appendix No. 31.

122. Any of the parties to the cause may apply to one of the registrars by summons for leave to join in a commission or requisition, and to examine witnesses thereunder; and the registrar to whom the application is made may direct the necessary alterations to be made in the commission or requi-

sition for that purpose, and settle the same, or refer the application to the judge.

123. After the issuing of a summons to show cause why a party to the cause should not have leave to join in a commission or requisition, such commission or requisition shall not issue under seal without the direction of one of the registrars.

Cases for Motion.

124. Cases for motion are to set forth the style and object of, and the names and descriptions of the parties to, the cause or proceeding before the court; the proceedings already had in the cause, and the dates of the same; the prayer of the party on whose behalf the motion is made, and briefly, the circumstances on which it is founded.

125. If the cases tendered are deficient in any of the above particulars, the same shall not be received in the registry without permission of one of the registrars.

126. On depositing the case in the registry, and giving notice of the motion, the affidavits in support of the motion, and all original documents referred to in such affidavits, or to be referred to by counsel on the hearing of the motion, must be also left in the registry; or in case such affidavits or documents have been already filed or deposited in the registry, the same must be searched for, looked up, and deposited with the proper clerk, in order to their being sent with the case to the judge.

127. Copies of any affidavits or documents to be read or used in support of a motion are to be delivered to the other parties to the suit, who are entitled to be heard in opposition thereto.

As to Costs.

128. In all cases in which the court at the hearing of a cause condemns any party to the suit in costs, the proctor, solicitor, or attorney of the party to whom such costs are to be paid may forthwith file his bill of costs in the registry, and obtain an appointment for the taxation, provided that such taxation shall not take place before the time allowed for moving for a new trial or re-hearing shall have expired; or, in case a rule nisi should have been granted, until the rule is disposed of, unless the judge shall, for cause shown, direct a more speedy taxation.

Review of Taxation.

129. Application for a review of taxation is to be made to the judge on summons.

Recovery of Costs.

130. Upon the registrar's certificate of costs being signed, he shall at once issue an order of the court for payment of the amount within seven days, unless a summons be taken out for a review of the taxation, in which case the order for payment shall be suspended until the summons is disposed of.

131. This order shall be served on the proctor, solicitor, or attorney of the party liable [or if it is desired to enforce the order by commitment on the party himself], and if the costs be not paid within the seven days, a writ of *fi. facias* or writ of sequestration, or a writ of *elegit*, shall be issued as of course in the registry, upon an affidavit of service of the order, and non-payment.

As to Subpoenas.

132. The issuing of fresh subpoenas in each term shall be abolished, and it shall not be necessary to serve more than one subpoena upon any witness. Such subpoena shall be in the following form:—

Subpoena ad testificandum.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to [names of all witnesses included in the subpoena to be inserted], Greeting. We command you and every of you to be and appear in your proper persons before [insert the name of the judge], Judge of our Court of Probate at Westminster, in our county of Middlesex, on the day of 18, by half-past ten of the clock in the forenoon of the same day, and so from day to day, whenever our said court is sitting, until the cause or proceeding is heard, to testify the truth, according to your knowledge, in a certain cause now in our said court before our said judge depending between A. B., plaintiff, and C. D.,

defendant, on the part of the plaintiff [or, as the case may be], and on the aforesaid day between the parties aforesaid to be heard. And this you or any of you shall by no means omit, under the penalty of each of you of £100. Witness [insert the name of the judge], at the Court of Probate, the day of 18, in the year of our reign.

(Signed) X. Y., Registrar.

N.B.—Notice will be given to you of the day on which your attendance will be required.

Subpoena duces tecum.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to [names of all parties included in the subpoena to be inserted], Greeting. We command you and every of you to be and appear in your proper persons before [insert the name of the judge], judge of our Court of Probate at Westminster, in our county of Middlesex, on the day of 18, by half-past ten o'clock in the forenoon of the same day, and so from day to day whenever our said court is sitting, until the cause or proceeding is heard, and also that you bring with you and produce at the time and place aforesaid [here describe shortly the deeds, letters, papers, &c., required to be produced], then and there to testify and show all and singular those things which you or either of you know, or the said deed or instrument doth import, of and concerning a certain cause or proceeding now in our said court before our said judge, depending between A. B., plaintiff, and C. D., defendant, on the part of the plaintiff [as the case may be], and on the aforesaid day between the parties aforesaid to be heard. And this you or any of you shall by no means omit, under the penalty of each of you of £100. Witness [insert the name of the judge], at our Court of Probate, the day of 18, in the year of our reign.

(Signed) X. Y., Registrar.

N.B.—Notice will be given to you of the day on which your attendance will be required.

APPENDIX.

Form which is to be followed as nearly as the circumstances of the case will allow.

No. 31.—Commission or Requisition for Examination of Witnesses.

In Her Majesty's Court of Probate.

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to [here set forth the name and proper description of the commissioner], Greeting. Whereas a certain cause is now depending in our Court of Probate between A. B., plaintiff, and C. D., defendant. And whereas by an order made in the said cause on the day of 18, on the application of the said A. B., it was ordered that a commission [or requisition] should issue under seal of our said court for the examination of [here insert name and address of one of the persons to be examined] and others as witnesses to be produced on the part of the said A. B. (saving all just exceptions). Now know ye that we do by virtue of this commission [or requisition] to you directed, authorise [or request] you within thirty days after the receipt of this commission [or requisition] at a certain time and place to be by you appointed for that purpose with power of adjournment to such other time and place as to you shall seem convenient to cause the said witnesses to come before you, and to administer to the said witnesses respectively an oath truly to answer such questions as shall be put to them by you touching the matters set forth in the pleadings in the said cause (a true and authentic copy whereof, sealed with the seal of our said court, is herewith annexed), and such oath being administered, we do hereby authorise [or request] and empower you to take the examination of the said witnesses touching the matters set forth in the said pleadings, and to reduce the said examination or cause the same to be reduced into writing. And that for the purpose aforesaid you do assume to yourself some notary public or other lawful scribe and for your actuary in that behalf if to you it should seem meet and convenient so to do. And the said examination being so taken and reduced into writing as aforesaid, and subscribed by you, we do require [or request] you forthwith to transmit the said examination, closely sealed up, to the registry of our said court in Doctors' Commons, in the city of London, together with these presents. And we do hereby

give you full power and authority to do all such acts, matters and things as may be necessary, lawful, and expedient for the due execution of this our commission [or requisition].

Dated at London the day of , in the year of our Lord one thousand eight hundred and , and in the year of our reign.

(Signed) X. Y., Registrar.

PUBLIC COMPANIES.

GOVERNMENT FUNDS.

LAST QUOTATION, Dec. 11, 1874.

3 per Cent. Consols, 9½	Annuities, April, '85 9½
Ditto for Account, Jan. '92	Do. (Red Sea T. & Aug. 1908
5 per Cent. Reduced 9½	Ex Billa, £1000, 2½ per Ct. 5 dis.
New 3 per Cent., 9½	Ditto, £500, Do 5 dis.
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, 5 dis.
Do. 3½ per Cent., Jan. '94	Bank of England Stock, 5 per
Do. 5 per Cent., Jan. '73	Ct. (last half-year), 256
Annuities, Jan. '80 —	Ditto for Account,

INDIAN GOVERNMENT SECURITIES.

Ditto 5 per Cent., July, '80 107½	Ditto, 5½ per Cent., May, '79 10½
Ditto for Account, —	Ditto Debentures, per Cent
Ditto 4 per Cent., Oct. '88 103½	April, '64 —
Ditto, ditto, Certificates, —	Do. Do, 5 per Cent., Aug. '73 100½
Ditto 5 per Cent., 4 per Cent. 94½	Do. Bonds, 4 per Ct., £1000
Ind. Inf. Pr., 5 p Ct., Jan. '73	Ditto, ditto, under £1000

RAILWAY STOCK.

Railways.	Paid.	Closing Price
Stock Bristol and Exeter	100	111
Stock Caledonian	100	98½
Stock Glasgow and South-Western	100	98
Stock Great Eastern Ordinary Stock	100	49
Stock Great Northern	100	138½
Stock Do. A Stock	100	157
Stock Great Southern and Western of Ireland	100	169
Stock Great Western—Original	100	112½
Stock Lancashire and Yorkshire	100	142½
Stock London, Brighton, and South Coast	100	92
Stock London, Chatham, and Dover	100	23
Stock London and North-Western	100	147½
Stock London and South Western	100	114
Stock Manchester, Sheffield, and Lincoln	100	76½
Stock Do. A Stock	100	73
Stock Do. District	100	13½
Stock Midland	100	135½
Stock North British	100	67
Stock North Eastern	100	166
Stock North London	100	110
Stock North Staffordshire	100	85
Stock South Devon	100	57
Stock South-Eastern	100	113½

MONEY MARKET AND CITY INTELLIGENCE.

The Bank rate is still 6 per cent. The proportion of reserve to liabilities has risen to 44½ per cent. The home railway market up to Wednesday was firm, but on that day the traffic return of the North Eastern Railway caused some depression. On Thursday, however, prices rose. Business has been very limited in the foreign market. Consols on Thursday closed 91½ to 1 for money, and 92 to 1 for the account.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

HORNE—On Dec. 8, at Salmons, Caterham, the wife of H. Walters Horne, Esq., barrister-at-law, of a daughter.
KINGLAKE—On Dec. 6, at 103, St. George's-square, S.W., the wife of Robert A. Kinglake, Esq., barrister-at-law, prematurely, of a son.
LAWIS—On Dec. 4, at 1, Sheffield-gardens, Kensington, W., the wife of Somers Lewis, of Lincoln's-inn, barrister-at-law, of a son.
WALLER-SHEPHERD—On Dec. 4, at 34, Belgrave-road, South Hampstead, the wife of Francis Waller-Shepherd, of the Inner Temple, barrister-at-law, of a daughter.

MARRIAGE.

ROBERTS—JONES—On Dec. 8, at St. Catherine's church, Colwyn, North Wales, Thomas Howes Roberts, barrister-at-law, of the Middle Temple, to Eleanor Frost Jones, adopted daughter of Mr. and Mrs. Frost, of Min-y-don, Colwyn. No cards.

DEATHS.

BRANDT—On Dec. 6, at No. 8, Fig Tree-court, Temple, Francis Frederick Brandt, of the Inner Temple, barrister-at-law, aged 64.
CABELL—On Dec. 9, at 39, Chapel-street, Marylebone-road, Benjamin Bond Cabell, Esq., F.R.S., F.S.A., of the Middle Temple, London, in the 94th year of his age.
DIXON—On Dec. 6, William Timmouth Dixon, Esq., formerly of New Boswell Court, solicitor, aged 75 years.
JACOB—On Dec. 8, Elizabeth Anne, the wife of Frederick Jacob, of 48, Bedford-row, W.C., and Dalston, solicitor.
PRICE—On Dec. 9, at 11, Chalcot-crescent, Regent's-park, Anne Julia, the wife of George Curtis Price, of Lincoln's-inn, barrister-at-law, aged 32.
WATSON—On Dec. 10, at 1, Phillimore-gardens, Kensington, Robert Watson, of 12, Bouverie-street, E.C., and Hammer-smith, in his 69th year.

LONDON GAZETTES.

Professional Partnerships Dissolved.

FRIDAY, Dec. 4, 1874.

Speechley, Thomas, and Vincent Ind Chamberlain, New inn, Strand, Middlesex, attorneys and solicitors. Nov 30
Harris, Henry, and George Henry Finch, Bridge chambers, Borough High st, Southwark, Surrey, solicitors and attorneys at law. Nov 30

Winding up of Joint Stock Companies.

FRIDAY, Dec. 4, 1874.

LIMITED IN CHANCERY.

Anglo-American Marezza Marble Company, Limited.—Petition for winding up, presented Nov 3, directed to be heard before the M.R., on Dec 12.

Brean Iron Mining Company, Limited.—Petition for winding up, presented Nov 25, directed to be heard before the M.R., on Dec 12.

Smyth, Rochester row, solicitor for the petitioner.
Foreign Service Supply Company, Limited.—Creditors are required, on or before Jan 6, to send their names and addresses, and the particulars of their debts or claims, to William Holmes, Threadneedle st. Jan 20, at 1, is appointed for hearing and adjudication upon the debts and claims.

Libson Steam Tramways Company, Limited.—Petition for winding up, presented Dec 2, directed to be heard before V.C. Malins, on Dec 18.

Beddall, Bishopsgate st, solicitor for the petitioner.
New Nant-y-Blaidd Silver Lead Mine, Limited.—The M.R. has fixed Dec 11, at 11.30, at his chambers, for the appointment of an official liquidator.

Yorkshire Brick and Stone Company, Limited.—By an order made by V.C. Malins, dated Nov 25, it was ordered that the above company should be wound up. Singleton and Tattershall, Great James st, Bedford-row, agents for Fawcett and Malcolm, Leeds, solicitors for the petitioners.

TUESDAY, Dec. 8, 1874.

UNLIMITED IN CHANCERY.

South Essex Railway Company.—Creditors are required, on or before Jan 18, to send their names and addresses, and the particulars of their debts or claims, to John Cooper Fitzmaurice, Westminster chambers, Victoria st. Feb 1, at 12, is appointed for hearing and adjudication upon the debts and claims.

LIMITED IN CHANCERY.

Ang'o-Spanish Copper Company, Limited.—Petition for winding up, presented Dec 7, directed to be heard before V.C. Hall, on Dec 18.

Freshfields and Williams, Bank buildings, solicitors for the petitioner.
Hamilton and Company, Limited.—Petition for winding up, presented Dec 1, directed to be heard before V.C. Hall, on Dec 18.

Philp, Queen Victoria st, Mansion House, solicitor for the petitioner.
Liebon Steam Tramways Company, Limited.—Petition for winding up, presented Dec 2, directed to be heard before V.C. Malins, on Dec 18.

Beddall, Bishopsgate st, solicitor for the petitioner.
London and Southwark Warehousing Company, Limited.—Petition for winding up, presented Dec 2, directed to be heard before V.C. Malins, on Dec 18.

Branden, Essex st, Strand, solicitors for the petitioner.
Patent Electric Advertising Company, Limited.—Petition for winding up, presented Dec 4, directed to be heard before V.C. Malins, on Dec 18.

Merriman and Co, Sherborne lane, solicitors for the petitioner.

Friendly Societies Dissolved.

FRIDAY, Dec. 4, 1874.

Mutual Assistance Friendly Society, Crown and Sceptre Inn, Newton St Syres, Devon. Nov 27

Creditors under Estates in Chancery.

Last Day of Proof.

TUESDAY, Dec. 1, 1874.

Clewes, Jossa, Hanley, Stafford, Stonemason. Dec 29. Fiancy v Ogden, M.R. Doyle, Carey st, Lincoln's inn
Morley, Elias, Brussels, Belgium, Spinster. Jan 11. Morley v Morley. V.C. Hall. Dulcis, King st, Chesham
Payne, Sir Coventry, Wootton House, Bedford, Baronet. Jan 6. Church v Wright, V.C. Hall. Blood, Witham
Sanderson, Ann, Russell st, Covent garden, Baker. Jan 11. Reynolds v Sanderson, V.C. Hall. Berkely, South-square, Gray's inn
Stabbing, Joseph Rankin, Southampton, Optician. Jan 2. Wilson v Coxwell, V.C. Malins. Roberts, Leadonhall st
Turk, William, Charlton Kings, Gloucester, Master. Dec 31. Beard v Turk, V.C. Malins. Jessop, Cheltenham

FRIDAY, Dec. 4, 1874.

Ambler, William, Napton-on-the Hill, Warwick, Farmer. Dec 31.
 Newitt v Ambler, V.C. Malins. Welshman, Southam
 Collins, Chambers, Maryport, Cumberland, Surgeon. Dec 31. Metcalf
 v Webster, V.C. Malins. Robert, Verulam buildings, Gray's inn
 Gaskell, Thomas James, Standish, Lancashire, Cashier. Jan 1.
 Gaskell v Gaskell, V.C. Bacon. Lees, Wigan
 Harris, Hamlyn Lavicombe, Westbury-upon-Trym, Gloucester, General
 in H.M. Army. Dec 23. Webster v Harris, V.C. Malins. Salmon,
 Bristol
 Page, Henry, Basset, Hants, Solicitor. 11. Page v Atherley, V.C.
 Hall. Darley, John st, Bedford row
 Potter, Elizabeth, North Shields, Northumberland, Spinster. Jan 11.
 Potter v Potter, V.C. Malins. Dale, North Shields
 Pearson, Harriet, St James' place, St James' st, Jan 11. Pearson v
 Dangerfield, V.C. Malins. Cooke, Barjeants' inn, Chancery lane
 Reed, William, Jun, Doncaster, York, Coach Builder. Dec 19. Maw v
 Reed, V.C. Bacon. Fisher, Doncaster
 Stevenson, Rev John, Ventnor, Isle of Wight. Dec 23. Thompson v
 Birch, V.C. Bacon. Carey, Grocers' hall court, Foultry

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

TUESDAY, Dec 1, 1874.

Anderson, Rev Charles Cayler, Wingham, Kent. Jan 23. Wightwick
 & Co., Canterbury
 Bashford, Henry, Earlswood, Reigate, Gent. Dec 23. Morrison, Rel-
 gae
 Betts, Mary, Warwick. Jan 21. Newsam and Chadwick. Warwick
 Betts, William Henry, Warwick, Gent. Jan 21. Newsam and Chad-
 wick, Warwick
 Clarke, Josiah, Coventry, Wine and Spirit Merchant. Feb 2. Minster,
 Coventry
 Corner, George, Sydney place, Commercial road East, Pawnbroker.
 Jan 1. Waller, Coleman st
 Cressingham, Jonah, Garsham, Surrey, Esq. Jan 11. Cookson and
 Co, New square, Lincoln's inn
 Daubney, Edward, sen, Nottingham, Timber Merchant. Feb 1.
 Eversall and Turner, Nottingham
 Davis, Percival, Barnes, Surrey, Plumber. Jan 1. Morely and Shirreff,
 Palmerston buildings, Old Broad st
 Flicker, Augustus, Plumstead, Kent, Market Gardener. Jan 1.
 Rooke and Son, Great James st, Bedford row
 Grosse, James, Port Adelaide, South Australia, Storekeeper. Feb 10.
 James and Co, Ely place
 Hall, James, Scamberg, Chester. Dec 10. McConnell, Liverpool
 Henderson, William, Mobile, Alabama, United States, Doctor.
 Feb 1. Harsen, Gresham buildings, Guildhall
 Holden, Hyla, Lark hill, Worcester, Gent. Jan 31. Stallard, Wor-
 cester
 Hudson, Martha, Liverpool. Dec 5. McConnell, Liverpool
 Hughes, William Hughes, Etkley Wells, York, Barrister-at-Law. Jan
 1. Hewitt, Nicholas lane, Lombard st
 Huntley, William, Newcastle-upon-Tyne, Grocer. Jan 9. Charlton
 and Youll, Newcastle-upon-Tyne
 Key, John, Paul st, Finsbury, Gent. Dec 31. Sheffield and Sons,
 Lime st
 Kington, George, Elsworth, Cambridge, Yeoman. Jan 1. Watts, St
 Ives
 Lady Love, Mary, Victrola rd, Kensington. Jan 4. Richards, Warwick
 st, Regent st
 Parkinson, Rev Henry William, Rochdale, Lancashire. Jan 20.
 Mellor, Oldham
 Pickering, Harriet, Shrewsbury, Innkeeper. Jan 25. Clarke, Shrews-
 bury
 Pollard, Joseph, Stamford Baron, Northampton, Grocer. Feb 1. Chap-
 man, Stamford
 Scott, Edward Augustus, Gainsborough, Lincoln, Tinner. Jan 30.
 Bird and Hayes, Gainsborough
 Smith, Emma, Derby, Spinster. Jan 15. Gadsby, Derby
 Smith, John Campbell, Union rd, Tudwell Park, Student-at-Law. Jan
 11. Randall and Angier, Gra's inn place
 Stewart, Captain Charles, High Heigh, Cheshire. Jan 1. Hinde and
 Co, Manchester
 Taylor, Joseph, Taunstone, York, Plumber. Dec 17. Furnies and
 Son, Sheffield
 Van Kelcom, Arthur, Oxford st, Merchant. Jan 1. Bailey, Token-
 house yard
 Webb, James, Worcester, Land Agent. Jan 31. Stallard, Worcester
 White, Richard, St Leonard's, Sussex, Gent. Elam, Walbrook
 Windsor, William, Flax Bourton, Somerset, Gent. Jan 1. O'Donoghue
 and C, B isol

TUESDAY, Dec. 4, 1874.

Baber, Harry, Weston-super-Mare, Somerset, Gent. Jan 31. Baker
 and Co, Weston-super-Mare
 Beebe, Thomas Legge, Stapleton, Hereford, Esq. Feb 4. Thompson
 and Groom, Raymond buildings, Gray's inn
 Berkeley, Robert, Spetchley Park, Worcester, Esq. Jan 15. Ward
 and Co, Gray's inn square
 Bishrown, Daniel, Rancorn, Chester, Ship Joiner. Jan 30. Ashton
 and Garratt, Rancorn
 Bricknell, Susan, Oulham, Southampton. Jan 20. Lamb and Brooks,
 Oldham
 Brooks, Samuel, Upper Tollington road, Holloway, Gent. Jan 11.
 Reddish an Lake, Stockport
 Cardwell, Ellen, Blackburn, Lancaster. Dec 31. Wilkinson, Black-
 burn
 Dods, Ralph, Newcastle-upon-Tyne, Esq. March 1. Phillips, Jun,
 Newcastle-upon-Tyne
 Ennor, Nicholas, St Teath, Cornwall, Gent. Dec 24. Creber, Came-
 ford
 Fisher, William Webster, Downing College, Cambridge, Doctor. Feb 1.
 Crowdy and son, Serjeants' inn, Fleet st
 Ford, Alfred, Waterloo, Lancaster, Gent. Feb 1. Banks and Kendall
 Prescott
 Ford, Barbara, Walton, Lancaster. Feb 1. Banks and Kendall, Prescott
 Frost, John, Mansfield, Nottingham, Painter. Dec 21. Handly and
 Waken, Mansfield

Gibson, Thomas, Walkley, Sheffield, Scrap Dealer. Jan 14. Webster,
 Sheffield
 Gray, John, Newcastle-upon-Tyne, Gent. Feb 2. Mather and Co
 Newcastle-upon-Tyne
 Hacker, Henry, sen, and Henry Hacker, jun, the Grange, Bermonsey
 Tanner. Dec 31. Pullen, Harp lane
 Young, William, Stockton-on-Tees, Durham, Common Brewer. Dec
 31. Newby and Co, Stockton-on-Tees
 Harker, Mary, Dartmouth Terrace, Deptford. Feb 1. Radford, Quality
 court, Chancery lane
 Hollington, Ann, Acre lane, Brixton. Jan 1. Pattison and Co, Lam-
 bard st
 Hustwick, John, Thorgauby, York, Yeoman. Jan 21. Phillips, York
 Jackson, Sidney, Sandal Magna, York, Butcher. Feb 1. Wainwright,
 Wakefield
 Johnson, William, Eecston, Nottingham, Gent. Jan 5. Heath, Not-
 tingham
 Kemp, Charles, Cranbrook, Kent, Innkeeper. Jan 13. Wilson and
 Co, Cranbrook
 Kemp, Eliza, Cranbrook, Kent. Jan 13. Wilson and Co, Cranbrook
 Langdale, William Atkinson, Ladbrook square, Notting Hill, Esq. Jan
 15. Stephens and Co, Bedford row
 Lees, James, Upper st, Islington, Chemist. Jan 10. Tampion and Co,
 Fenchurch st
 Mallinson, Thomas, Grasscroft, Almondbury, York, Woollen Cloth
 Manufacturer. March 6. Bottomley, Huddersfield
 McCunn, Archibald, Brighon, Sussex, Esq. Jan 31. Brooks and Co,
 Godman st, Doctors' commons
 McKinde, Neil, Carlisle, Gent. Dec 31. Clutterbuck, Carlisle
 Newman, Charles, Church Farm, Harlington, Auctioneer. Feb 1.
 Woods and Co, Uxbridge
 Preston, James Banting, Kentish buildings, Southwark, Wop Merchant.
 Jan 12. Deane and Co, South square, Gray's inn
 Price, Sarah, Birmingham. Jan 31. Webb and Spencer, Birmingham
 Rowland, Jonathan, Warwick-upon-Tweed, Solicitor. Feb 1. Sande-
 son, Berwick-upon-Tweed
 Sharp, James Chaldecott, Southampton, Gent. Jan 2. Sharp & Co,
 Southampton
 Sharp, Rebecca, Southampton. Jan 2. Sharp and Co, Southampton
 Shaw, Eli, Lintwhaite, York, Woollen Scribbler. Jan 1. Laycock and
 Co
 Smith, Thomas, Bradford, York, Shopkeeper. Jan 5. Browning,
 Bradford
 St. John, Robert, Warwick road, Malda hill, Lieut-Gen, H.M.'s Army.
 Jan 14. Tattam, Old Broad st
 Thomas, John, Blomfield road, St. John's Wood, Sculptor. Feb 1.
 Black, Mount st, Grosvenor square
 Tucker, Walter, Weston-super-Mare, Somerset, Esq. Jan 23. Smith,
 Weston-super-Mare
 Vickers, John, Bolton, Lancaster, Cotton Spinner. Jan 20. Gerrard,
 Bolton
 Walker, Henry, Porchester terrace, Hyde Park, Solicitor. Jan 31.
 Walker & Co, Southampton st, Bloomsbury
 Wheeler, Emma, Whitton, Hereford. Jan 14. Clark, Ludlow

Bankrupts:

FRIDAY, Dec. 4, 1874.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debt to the Registrar,
 To Surrender in London.

Hogg, Joseph, St James' st, Piccadilly, Tailor. Pet Dec 2. Spring-
 Rice. Dec 17 at 12

To Surrender in the Country.

Abell, George Matlow, Gloucester, Attorney. Pet Dec 1. Wilkin.
 Gloucester. Dec 16 at 12
 Clifford, Jeremiah, Eastbourne, Sussex, out of business. Pet Nov 31.
 Blaker. Lewes. Dec 18 at 12
 Hallwood, Henry Spencer, Northwich, Cheshire, Baker. Pet Nov 21.
 Broughton. Nantwich, Dec 17 at 10.30
 Hickman, Henry, Birmingham, Builder. Pet Dec 1. Chauntler. Bir-
 mingham. Dec 23 at 2
 Justice, John, Sturton, Nottingham, Farmer. Pet Dec 1. Upshy.
 Lincoln. Dec 18 at 2
 Langham, Thomas, Leicestershire, Grocer. Pet Dec 2. Ingram.
 Leicestershire. Dec 17 at 12
 Vian, Jacob, Grampound, Innkeeper. Pet Dec 2. Chilcott. Truro.
 Dec 21 at 11
 Welch, John Thomas, Twerton, nr Bath, Licensed Victualler. Pet
 Dec 1. Smith. Bath. Dec 18 at 3

TUESDAY, Dec. 8, 1874.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debt to the Registrar.

To Surrender in London.

Druce, George F., Queen's buildings, Queen Victoria st, Gent.
 Pet Dec 4. Roche. Jan 7 at 11
 Scroggie, William S., Leadenhall st, Merchant. Pet Dec 4.
 Bringham. Dec 18 at 11

To Surrender in the Country.

Hollobone, Nathaniel, George, Eastbourne, Sussex, Tobacconist. Pet
 Dec 4. Baker. Lewes. Dec 22 at 12
 Jenkins, Thomas, Tycroes, Carmarthen, Grocer. Pet Dec 4. Lloyd.
 Carmarthen. Dec 26 at 12
 King, Lewis, North Weald, Essex, Hay Dealer. Pet Dec 3. Pailley.
 Edmonton. Dec 24 at 11
 Stover, Caleb William, Liverpool, Commission Agent. Pet Dec 4.
 Watson. Liverpool. Dec 21 at 2
 White, Nathaniel, Bath, Provision Dealer. Pet Dec 5. Smith. Bath.
 Dec 22 at 11

BANKRUPTCIES ANNULLED.

FRIDAY, Dec. 4, 1874.

Stanway, Thomas, Norfolk terrace, Bayswater, Builder. Dec 2

TUESDAY, Dec. 8, 1874.

Stone, Francis William, Claverton st, Pimlico, Superannuated Clerk
 Nov 30

Liquidation by Arrangement. FIRST MEETINGS OF CREDITORS.

FRIDAY, Dec. 4, 1874.

Almworth, Richard, Jun, Bristol, Photographic Artist. Dec 17 at 12 at offices of Perham, Exchange buildings East, Bristol.
Anstey, John Duffly, Filleigh, Devon, Miller. Dec 16 at 1.30 at offices of Bencraft, Bridge hall chambers, Barnstaple.
Armstrong, John, Dewsbury, York, Shoody Merchant. Dec 10 at 3 at offices of Ibberson, Dewsbury.
Barracklow, Thomas, Morley, York, Woollen Manufacturer. Dec 11 at 3 at offices of Ibberson, Dewsbury.
Beany, James, St Leonard's-on-Sea, Sussex, Lodging-house Keeper. Dec 15 at 3 at the Havlock Hotel, Hastings. Langham and Son, Hastings.
Bedell, Charles, Mark Lane, Wine Merchant. Dec 17 at 12 at offices of Quiliter and Co, Moorgate st. Broughton.
Bilton, James, Whitehaven, Cumberland, Boot Maker. Dec 18 at 3 at offices of Keckley, Sandhills lane, Whitehaven.
Blease, William Ryder, Liverpool, Contractor. Dec 17 at 2 at offices of Fowler, St George's crescent, Castle st, Liverpool.
Bradbury, James, Greenland, Derby, Farmer. Dec 21 at 2 at the Red Lion Hotel, Bakewell, Hexhall, Derby.
Brown, Edward, Manor st, King's rd, Chelsea, Butcher. Dec 11 at 10 at offices of Kish and Co, Wellington st, Strand.
Buckley, Holdsworth, Holmforth, York, Waste Dealer. Dec 11 at 3 at offices of Leary and Leary, Buxton rd, Huddersfield.
Burbridge, Charles Henry, Whitefield, nr Dover, Kent, Nurseryman. Dec 17 at 3 at the Royal Oak Hotel, Dover. Mowll.
Butterworth, John, Fazenden, Lancashire, Cotton Manufacturer. Dec 21 at 3 at the Clarence Hotel, Spring gardens, Manchester. Leigh, Manchester.
Carter, Thomas, Leeds, York, Tea Dealer. Dec 15 at 12 at offices of Pullan, Bank chambers, Park row, Leeds.
Clay, Edward Stanley, Lincoln, Faviour. Dec 16 at 11 at offices of Burton and Scorer, Lincoln.
Close, John, Manchester, Calico Printer. Dec 21 at 11 at offices of Slater and Poole, Norfolk st, Manchester.
Copeland, John, Northampton, Draper. Dec 15 at 11 at offices of Jeffery, Market square, Northampton.
Crawford, John, Loominster, Hereford, Builder. Dec 16 at 3 at offices of Jacques, Cherry st, Birmingham.
Davenport, Samuel, Bury, Lancashire, Pork Butcher. Dec 17 at 3 at offices of Grundy and Co, Union st, Bury.
Davies, John, Bristol, Manufacturing Confectioner. Dec 17 at 11 at offices of Collins, jun, Broad st, Bristol. Salmon and Henderson, Bristol.
Dingwall, John, and William Dingwall, jun, Newcastle-upon-Tyne, Confectioners. Dec 16 at 2 at offices of Wallace, Pilgrim st, Newcastle-upon-Tyne.
Doyle, Michael, Liverpool, Bootmaker. Dec 22 at 2 at offices of Mingaud, Clarence st, Liverpool. Parker, Liverpool.
Entwistle, James, Wigan, Lancashire, Draper. Dec 24 at 12.15 at 8, York st, Manchester. France, Wigan.
Featherstone, Joseph, Newcastle-upon-Tyne, Merchant. Dec 15 at 12 at offices of Hoyle and Co, Collingwood st, Newcastle-upon-Tyne.
Foulkes, Hugh, Birkenhead, Cheshire, Bootmaker. Dec 17 at 11 at offices of Manson, Duncan st, Birkenhead. Bretherton and Hannan, Birkenhead.
Frame, William, Reading, Berks, Tailor. Dec 16 at 12 at offices of Gibbs, London rd, Reading.
Gabriel, Elias, Jarow, Durham, Assistant Clothier. Dec 15 at 2 at offices of Joel, Newgate st, Newcastle-upon-Tyne.
Gibbs, John, Liverpool, Travelling Salesman. Dec 23 at 2 at offices of Bellinger, North John st, Liverpool.
Godden, George, Stoke-by-Nayland, Suffolk, Innkeeper. Dec 18 at 4 at offices of Jones, Butt rd, Colchester.
Gray, Mary Woodly, Shaldon, Devon. Dec 18 at 11.30 at 7, Catherine terrace, Teignmouth. Temple.
Grenades, Thomas, Holderness, York, Farmer. Dec 22 at 2 at offices of Watson and Son, Parliament st, Kingston upon-Hull.
Griffiths, Samuel, Birmingham, out of business. Dec 15 at 3 at offices of Wright and Marshall, Townhall chambers, New st, Birmingham.
Gurney, Daniel, Kingston, Surrey, Bricklayer. Dec 14 at 3 at offices of Hicklin and Washington, Trinity square, Southwark.
Gyde, James Lewes, Birmingham, Factor. Dec 17 at 11 at offices of Foster, Bennett's hill, Birmingham.
Hallett, Samuel, Brighton, Sussex, Farmer. Dec 23 at 3 at the Star Hotel, Lewes. Nye, Brighton.
Hammond, Thomas, Hoxton st, Oilman. Dec 17 at 12 at offices of Plunkett, Gutter lane.
Healdson, William, Liverpool, Butcher. Dec 17 at 3 at offices of Rundle, Castle st, Liverpool.
Hayes, Henry, Chorley, Lancashire, Painter. Dec 16 at 11 at offices of Morris, Townhall chambers, Chorley.
Heworth, Jonathan, Brierfield, Lancashire, Cotton Manufacturer. Dec 16 at 3 at offices of Grundy and Kershaw, Booth st, Manchester.
Hibbert, John, Manchester, Metal Worker. Dec 16 at 3 at offices of Sale and Co, Booth st, Manchester.
Hieb, George, Ware, Hertford, Barge Maker. Dec 14 at 12 at offices of Foster, Corn Exchange, Ware.
Hodkin, James, Hasland, nr Chesterfield, Derby, Licensed Victualler. Dec 18 at 11 at the Star Hotel, Chesterfield. Keely, Chesterfield.
Hobbs, Albert, Raphael st, Knightsbridge green, Hoxier. Dec 9 at 1 at offices of Carey and De Paula, Grocers' Hall court, Foultry.
Holler, Thomas, Aston, Warwick, Commission Agent. Dec 18 at 3 at offices of Jacques, Cherry st, Birmingham.
Hood, William, Langharne, Carmarthen, Innkeeper. Dec 14 at 11 at offices of Evans, Carmarthen.
Hoskins, Burren, Eastbourne, Sussex, Ballder. Dec 15 at 10 at the Crown Hotel, Lewes.
Hillsborough, Harriet, Leeds, Soda Water Manufacturer. Dec 17 at 2 at Wharton's Hotel, Park lane, Leeds. Rider.
Jain, Caroline, Willenhall, Stafford, Grocer. Dec 29 at 11 at offices of Barrow, Queen st, Wolverhampton.
Jubb, George Frederick, Durham, Ale Merchant. Dec 18 at 12 at offices of Fabbick, Market place, Durham.

Keeping, William, Bristol, out of business. Dec 19 at 11 at offices of Esbery, Guildhall, Broad st, Bristol.
Lawton, Seth, Huddersfield, York, Draper. Dec 15 at 3 at offices of North and Sons, East parade, Leeds.
Lindsay, James Primrose, Newcastle-upon-Tyne, Shipbroker. Dec 15 at 1 at offices of Sewall, Gray st, Newcastle-upon-Tyne.
Martin, John, Gravesend, Kent, Schoolmaster. Dec 17 at 2 at offices of Pullen, Windmill st, Gravesend.
McArthur, James, Darlington, Durham, Traveller. Dec 23 at 3 at offices of Wilkes, Market place, Darlington.
McEwen, Alexander, and Lawrence Thomson McEwen, George yard, Lombard st, Financial Agents. Dec 21 at 2 at offices of Lewis and Co, Old Jewry.
McNish, William, Nottingham, Draper. Dec 22 at 12 at the Assembly Rooms, Low Pavement, Nottingham.
Melbourne, David Atkinson, Manchester, Hotel Proprietor. Dec 21 at 3 at offices of Fox, Princess st, Manchester.
Miles, William Charles, Arthur st East, Newspaper Proprietor. Dec 18 at 2 at offices of Lovelock and Whiffin, Coleman st, Brighton, Bishopsgate without.
Miller, John, Bristol, Confectioner. Dec 17 at 3 at offices of Collins, jun, Broad st, Bristol. Salmon and Henderson, Bristol.
Moody, Thomas Charles, Moncrief rd, Rye lane, Peckham, out of business. Dec 19 at 2 at offices of Beasley and Gray, King st, Chapside.
Hicks, Annis rd, South Hackney.
Morgan, William Wynne, Abercrombie, Mozmouth, Grocer. Dec 17 at 2 at offices of Jones, Dock st, New, ort.
Neal, James, Barkby, Leicester, Farmer. Dec 17 at 12 at offices of Morris and Son, Friar lane, Leicester. Owston, Leicester.
Nevett, William, and Henry Harley Burgoyne, Oaken Gates, Salop, General Mercers. Dec 18 at 11.30 at the Great Western Hotel, Birmingham. Leake, Shifnal.
Nuttall, Edmund, Rochdale, Lancashire, Machine Broker. Dec 23 at 3 at offices of March, Lord st, Rochdale.
Oliver, William, Oxford, Draper. Dec 21 at 2 at 145, Chapside, London. Mason, Gresham st.
Paramor, Sidney, Garlinge, Kent, Cattle Dealer. Dec 23 at 12 at the Edinburgh Hall, High st, Margate. Moss, Grasschurch st.
Parkinson, John, Clitheroe, Lancashire, Slater. Dec 19 at 11 at office of Wheeler and Co, Market place, Clitheroe. Hothersall, Clitheroe.
Pease, Elizabeth, Castleford, York, Grocer. Dec 17 at 3 at offices of Stocks and Nettleto, Weibek st, Castleford.
Pridgeon, John Thorn, Salford, Lancashire, out of business. Dec 17 at 3 at offices of Goul, St Peter's square, Manchester.
Froudford, William, and Henry Randall, North Shields, Coal Merchants. Dec 21 at 5 at offices of Kewney, Howard st, North Shields.
Ramsey, Jesse, Kingston-upon-Hull, Sadler. Dec 15 at 11 at offices of Pickering, Parliament st, Kingston-upon-Hull. Watson and Son.
Ratcliffe, George, Shrewsbury, Salop, Mercer. Dec 21 at 3 at offices of Clarke, Swan hill, Shrewsbury.
Routledge, Elizabeth, Liverpool, Bootmaker. Dec 21 at 3 at offices of Rundle, Castle st, Liverpool.
Scriven, Edwin Rolfe, Eltham, Kent, Baker. Dec 14 at 1 at offices of Eagleton, Chancery lane.
Seager, George, Highgate rd, Chesham, Dec 14 at 10 at 68, Leadenhall st.
Sevenoake, Amos, Lewisham, Kent, out of business. Dec 13 at 11 at offices of King, Upper Thames st.
Sherrard, Francis George, Bristol, Attorney-at-Law. Dec 12 at 12 at offices of Stevens, Nicholas st, Bristol.
Sherwen, John, Carlisle, Cumberland, Joiner. Dec 16 at 11 at offices of Donald, Castle st, Carlisle.
Simpson, Mary Anna, Nicholl square, Aldersgate st, Miliner. Dec 14 at 2 at Mullien's Hotel, Ironmonger lane. Barton.
Slade, James Robert, Lewisham, Kent. Dec 23 at 11 at offices of Pope, Great James st, Bedford row.
Smeeth, Alfred William, Bath, Licensed Victualler. Dec 17 at 1 at the Grand Hotel, Broad st, Bristol. Gibbs, Newport.
Smith, Alfred, Rectory rd, Hornsey, no occupation. Dec 14 at 2 at offices of Cattlin, Guildhall yard.
Summers, George, Eleanor rd, Dalston, Commercial Clerk. Dec 11 at 3 at offices of Cooper, Charing Cross.
Sweetman, John Frederick, Ladbrook grove rd, Notting Hill, General Dealer. Dec 16 at 3 at offices of Durner, Moorgate st. Pullen, Cloutiers, Temple.
Tate, George, Peterborough, Northampton, Blacksmith. Dec 17 at 11 at offices of Gaches, Cathedral gateway, Peterborough.
Terry, James, Collingwood st, Mile End, Beer Retailer. Dec 14 at 2 at offices of Beasley and Gray, King st, Chapside. Hicks, Annis rd, South Hackney.
Thornton, William John, Northampton, Hairdresser. Dec 18 at 3 at the Peacock Hotel, Market square, Northampton.
Trew, Henry Frederick, Tenby, Pembroke, Tobacconist. Dec 31 at 2 at the Townhall, Carmarthen. Gwynne and Stokes, Tenby.
Turner, William, Enfield Highway, Middlesex, Wheelwright. Dec 23 at 2 at offices of Holloway, Ball's Pond rd, Islington.
Waldock, John Thompson, Panfisiad, Cambridge, Miller. Dec 15 at 3 at the Lion Hotel, Petty Cury, Cambridge. Ellian and Burrows, Cambridge.
Watson, Alfred, York, Solicitor. Dec 22 at 2 at offices of Crumble, Stonegate, York.
Watson, George, Sunderland, Durham, Shipowner. Dec 15 at 10 at offices of Oliver and Booterell, John st, Sunderland.
Wobster, Matilda Louisa, York, Milliner. Dec 16 at 3.15 at offices of Crumble, Stonegate, York.
Wharton, Edwin Charles, Attleborough, Norfolk, Corn Merchant. Dec 11 at 10.30 at offices of Clabburn, London st, Norwich.
Whitlock, George, Bournemouth, Hants, Foreman. Dec 17 at 2 at 28, Endess st, Salisbury. Hill.
Wilcox, Richard, Wrexham, Innkeeper. Dec 18 at 12 at offices of Jones, Henblas st, Wrexham.
Wilkinson, Charles Jeremiah, Leicester, Boot Manufacturer. Dec 17 at 12 at offices of Harvey, Pockington's walk, Leicester.
Williams, Henry Davis Bayley, Pant Eran, Carnarvon, Brick Manufacturer. Dec 29 at 3 at the Castle Hotel, Bangor. Allanson, Carnarvon.
Willie, George, Penrhaw, Glamorgan, Butcher. Dec 15 at 12 at offices of Brockwood, jun, Townhall, Bridgend.

Wilson, John, Pudsey, York, Waste Dealer. Dec 15 at 3 at offices of Pullan, Bank chambers, Leeds
Wimpenny, John Dyson, Leeds, Pianoforte Dealer. Dec 16 at 2 at offices of South and Co, Park row, Leeds. Iveson and Mellor
Zwelebel, Constantine, Bishopsgate st, Merchant. Dec 16 at 2 at offices of Cooper, Brothers and Co, George st, Mansion House.
Hollans and Co, Mining lane

TUESDAY, Dec. 9, 1874.

Abit, John, Keswick, Cumberland, Grocer. Dec 12 at 2 at the Odd-fellows' Arms Inn, Keswick. Lowthian, Keswick
Austen, John, Sevenoaks, Kent, Oilman. Dec 15 at 1 at the Sennocks Arms, Sevenoaks. Dennis, Lincoln's Inn fields
Bedford, William, Brighton, Sussex, Surgeon. Dec 29 at 3 at offices of Brandreth, Middle st, Brighton
Belton, James Fairchild, Northampton. Stone Mason. Dec 18 at 11 at offices of Jeffery, Market square, Northampton
Blanchett, George, Wootton Bassett, Wilts, Grocer. Dec 22 at 11 at the White Lion Hotel, Broad st, Bristol
Bowers, William Henry, Wednesbury, Stafford, Broker. Dec 21 at 11 at offices of Slater, Butcroft, Darlington. Edwards, Darlington
Brigham, Robert, Scarborough, York, Butcher. Dec 21 at 12 at offices of Williamson, Newborough st, Scarborough
Burgan, Edwin, Thorpe Common, York, Innkeeper. Dec 21 at 4 at offices of Badgers and Rhodes, Rotherham
Burge, Nicholas Proctor, Waterloo Bridge rd, Consulting Engineer. Dec 23 at 2 at offices of Patison and Co, Lombard st
Cheese, Francis, Liverpool, Sailpowner. Dec 21 at 3 at offices of Jones, Harrington st, Liverpool
Clements, William, Wilford, Nottingham, Farmer. Dec 21 at 11 at offices of Fraser, Brougham chambers, Wheelergate, Nottingham
Copping, Joseph Henry, City rd, Box Manufacturer. Dec 16 at 2, at offices of Fiach, Clifford's inn, Fleet st
Copeland, Edward, Southampton, Ironmonger. Dec 15 at 1 at office of Nichols and Leatherdale, Old Jewry chambers, Guy, Southampton
Culver, Richard, Amwell st, Pentonville, Jeweller. Dec 23 at 3 at office of Ricketts, Frederick st, Gray's inn rd
Curl, John, sen, and John Curl, jun, Northampton, Fishmongers. Dec 31 at 1 at office of Rice, Dergate, Northampton
Cutler, Edward, Iver, Buckingham, Farmer. Dec 23 at 3 at the Chequers Hotel, Uxbridge. Woolls and Co, Uxbridge
Danziger, Emanuel, Guildford st, Russell square, Professor of Elocution. Dec 18 at 3 at offices of Gresham and Son, Basinghall st
Davies, John, Pontolony, Glamorgan, Grocer. Dec 18 at 12 at offices of Williams and Lewis, High street, Northey Tydell
Davies, William, Farworth, Lancashire, Grocer. Dec 22 at 4 at offices of Adleshaw and Warburton, King street, Manchester
Downham, George, Eversley, Southampton, Innskeeper. Dec 18 at 1 at the Chequers Inn, Eversley. Eve, Aldershot
Dunham, Robert, New Park rd, Brighton hill, Plumber. Dec 28 at 11 at office of Rice, Streatham place, Brighton hill
Evans, Ralph, Middlesborough, York, Beerhouse Keeper. Dec 23 at 11 at Barker's Temperance Hotel, Bridge st, West, Middlesborough. Emlinghe, Middlesborough
Feldon, George Henry, James st, Lambeth, Box Manufacturer. Dec 18 at 3 at offices of Sadgrove, Mark lane
Fisher, Cornelius, Princes st, Leicester square, Grocer. Dec 17 at 12 at offices of Wild & Co, Ironmonger lane, Cheapside
Fletcher, Thomas, Birkenhead, Cheshire, Confectioner. Dec 21 at 2 at offices of Rose and Price, North John st, Liverpool. Hunter, Liverpool
Fletcher, William Henry, Bolsover, Derby, out of business. Dec 19 at 3 at offices of Gee, High st, Chesterfield
Franklin, Siegfried, Eokington, Derby, General Dealer. Dec 18 at 4 at offices of Biann, Fig-tree chambers, Sheffield
Freer, George, and Henry Freer, Leicester, Builders. Dec 22 at 12 at offices of Fowler & Co, Friar lane, Leicester
Gardner, Henry, Brundsbury terrace, Kilburn, Decorator. Dec 21 at 10 at the Pine Apple Hotel, Carlisle st, Church st, Marylebone
Gee, Frederick George, Wellington, Salop, Tailor. Dec 19 at 12 at offices of Marcy, Walker st, Wellington
Hall, George, South Shields, Durham, Grocer. Dec 22 at 3 at offices of Kewsey, Howard st, North Shields
Hawlett, Henry, Lynton, Southampton, Saddler. Dec 18 at 3 at offices of Shuttle, Portland st, Southampton
Hocking, James, Likceard, Cornwall, Draper. Dec 22 at 3 at the Half Moon Hotel, High st, Exeter. Carlyon and Paul, Truro
Howarth, Abraham, Manchester, Pickler Maker. Dec 21 at 3 at offices of Choriton, Bransnoso st, Manchester
Huckerby, Robert, Birmingham, Greengrocer. Dec 18 at 3 at office of Perry, Bennett's hill, Birmingham
Hughes, Robert, Colwyn, Carnarvon, Farmer. Dec 23 at 2, at the Hop Pole Hotel, Chester. Jones, Conway
Mendes, Thomas, Burden, Epsbourne, Sussex, Builder. Dec 15 at 35, Walkbrook, in lieu of the place originally named
Jackson, Joseph Woodhouse, Lincoln, Draper. Dec 26 at 11 at offices of Harrison, Bank st, Lincoln
Jolly, James, Burley, York, Grocer. Dec 18 at 3 at offices of Fawcett and Malcolm, Park row, Leeds
Jones, Thomas, Hunslet, Leeds, Wire Worker. Dec 21 at 3 at office of Clarke, Bank st, Leeds
Kendal, George, Huddersfield, York, Grocer. Dec 16 at 3 at offices of Leary and Leary, Burton rd, Huddersfield
Laird, William, Bracknell, Berks, Baker. Dec 23 at 11 at the Red Lion Inn, Bracknell. Snow, College Hill, Cannon st
Laves, John William, Shereans, Kent, Tailor. Dec 23 at 12 at offices of Sole and Co, Aldermanbury. Blake, Portsea
Leach, John, Bradford, York, Plumber. Dec 19 at 10 at offices of Berry and Robinson, Charles st, Bradford
Lewis, Thomas, Abercarn, Monmouth, Ironmonger. Dec 18 at 3 at offices of Pain and Son, Dock st, Newport
Long, Friend, Cheltenham, Gloucester, Greengrocer. Dec 21 at 3 at offices of Jevory, Church st, Cheltenham
Longstaff, Henry, Sunderland, Durham, Shipowner. Dec 23 at 3 at offices of Bell, Lambton st, Sunderland
Mabe, John, Tenby, Pembroke, Butcher. Dec 16 at 3 at the Coburg Hotel, Tenby. Glascombe, Swansea

Marlow, George, Leicestershire, Jeweller. Dec 21 at 12 at the Station Inn, Midland rd, Derby. Henwood, and Marlow
Maxell, William, Little Bentley, Essex, Cattle Dealer. Dec 23 at 11 at the Three Cups Hotel, High st, Colchester. Pollard, Ipswich
Mauder, Aaron, Lancaster, Corwall, Watchmaker. Dec 21 at 4 at offices of Brian, Freemasons' Hall, Cornwall st, Plymouth
Maxwell, William, jun, Olxton, Durham, Farmer. Dec 24 at 3 at offices of Bell, Church st, West Hartlepool
Mullan, Thomas Edmund, Manchester, Commission Agent. Dec 21 at 11 at offices of Boote and Edgar, George st, Manchester
Myers, Frederick, Preston, Lancashire, Grocer. Dec 18 at 12 at offices of Fryer, Lune st, Preston
Newman, Maurice, Manchester, Publisher. Dec 14 at 3 at offices of Nuttall and Son, Jackson's row, Manchester
Nicholson, Albert Henry, Newcastle-upon-Tyne. Dec 18 at 3 at offices of Hoyle and Co, Collingwood st, Newcastle-upon-Tyne
Nott, John, Cheltenham, Gloucester, Carriage Builder. Dec 22 at 11 at offices of Smith, Grosvenor place, Cheltenham
Ocle, Frederick Henry, Salford, Lancashire, Manager. Dec 18 at 4 at offices of Best, Brown st, Manchester
Orrell, Thomas, and James Orrell, Blackburn, Lancashire, Cotton Manufacturers. Dec 21 at 3 at offices of Middlesbrough and Co, Cromford court, Market st, Manchester. Wood, Manchester
Parker, Henry Brookfield, Brighton, Sussex, Grocer. Dec 19 at 10 at offices of Goodman, Prince Albert st, Brighton
Parker, John, John Charles Parker, and James Parker, York, Tailors. Dec 15 at 12 at offices of Wilkinson, St Helen's square, York
Parkes, John, Birmingham, Gilt Jeweller. Dec 21 at 13 at offices of Sharp, Colmore row, Birmingham. Cottrell, Birmingham
Parkinson, Benjamin, Hunslet, Leeds, Grocer. Dec 22 at 2.30 at the Exchange Hotel, New Brigate, Leeds. Watson and Dickson
Parry, Robert, Bodeloden, Anglesey, Grocer. Dec 18 at 3 at the Railway Hotel, Bangor. Jones, Menai Bridge
Pascos, Joshua, and Thomas Pascos, Charles st, Holloway, Builders. Dec 29 at 3 at offices of Dubois, Gresham buildings, Basinghall st
Peart, John Hammond, sen, Malton, York, Hotel Keeper. Dec 22 at 3 at the Talbot Hotel, Malton. Corbett
Petrali, Angelo, Cardiff, Glamorgan, Optician. Dec 22 at 11 at offices of Barnard and Co, Louthbury. Griffith and Corbett, Cardiff
Pope, Jabez, Elderfield rd, Clapton park, Clerks. Dec 21 at 2 at offices of Sturt, Ironmonger lane
Pratt, Joseph, Richmond, York, Grocer. Dec 19 at 3 at offices of Thompson, Richmond
Reacy, George Henry, Castletford, York, Woollen Manufacturer. Dec 24 at 11 at offices of Stringer, Osett
Reid, Thomas, Sheffield, Auctioneer. Dec 21 at 11 at the Albert Hall, Barker pool, Sheffield. Fretson
Renvoize, James George, Shepherdess walk, City rd, Manufacturing Stationer. Dec 22 at 3 at offices of Knox and Mould, Newgate st
Robertson, James, Harleat, nr Leeds, Blue Stainer. Dec 22 at 1 at offices of Hare, South Parade, Leeds. Harle, Leeds
Rogers, Henry William, Belgrave park terrace, Ironmonger. Dec 18 at 3 at offices of Beasley and Gray, King st, Cheapside. Lay, Poultry
Rowbotham, Edmund, Preston, Lancashire, Boot Dealer. Dec 22 at 11 at offices of Fryer, Lune st, Preston
Scott, George, Thirsk, York, Innskeeper. Dec 21 at 3 at offices of Arrow-smith and Richardson, Castlegate, Thirsk
Sewell, William Edward, Hunslet, Leeds, Book-keeper. Dec 21 at 3 at offices of Varley, Victoria chambers, South parade, Leeds. Harle, Leeds
Siveter, Joseph Felix, Birmingham, Coal Dealer. Dec 21 at 12 at offices of Hawkes, Temple st, Birmingham
Smith, Henry Charles, Laimore, Stepney, out of business. Dec 22 at 3 at offices of Watson, Guildhall st
Smith, John, Halifax, York, Waste Dealer. Dec 21 at 3 at offices of Jubb, Barum top, Halifax
Stevens, Charles, Bridge road, Battersea, Cheesemonger. Dec 21 at 3 at offices of Gower & Co, Cheap-side. Lucas, Stoke Newington road
Stevenson, Frederick, Slough, Buckingham. Dec 22 at 11 at the Royal Hotel, Slough. Phillips, Gray's inn square
Stone, James, Newmarket terrace, St. Paul's rd, Camden Town, Cattle Dealer. Dec 22 at 2 at offices of Spiller, 5.enth place, Epsbury
Swales, William, Rushall, Stafford, Currier. Dec 21 at 11 at offices of Stanley, Bridge st, Walsall
Taylor, James, Walsall, Staffs, Plator. Dec 22 at 11 at offices of Glover, Park st, Walsall
Taylor, William, Smallbury green, Isleworth, Market Gardener. Dec 15 at 11 at office of Gomme, Southampton st, Strand. Farnell and Briggs, Isleworth
Tibbles, John, Nantwich, Cheshire, Shoe Manufacturer. Dec 23 at 3 at the Union Inn, High st, Nantwich. Lisle, Nantwich
Tibbitt, John Batchelor, Bromsgrove, Worcester, Professor of Music. Dec 19 at 11 at offices of Haumant, nr Worcester
Turner, Jim George, Blackburn, Lancashire, Watchmaker. Dec 14 at 2 at offices of Fitter, Bennett's hill, Birmingham, in lieu of the place originally named
Webster, John William, Bodminster, Somerset, out of business. Dec 16 at 3 at offices of Hobbs and Sinnott, Broad st, Bristol
Wheatley, Thomas Henry, and Robert Anderson, Manchester, Under-clothing Manufacturers. Dec 21 at 3, at offices of Sutton and Elliott, Brown street, Manchester
Whitehurst, Thomas William, Manchester, Botanist. Dec 19 at 12, at offices of Whitlow 45, Old Millgate, Manchester
Williams, Thomas, Birkenhead, Chester, Draper. Dec 21 at 3, at office of Thompson and Simm, Hamilton square, Birkenhead. Downham, Birkenhead
Willis, George, High Wycombe, Bucks, Timber Merchant. Dec 31 at 2, at the Falcon Hotel, High Wycombe. Heathfield, Lincoln's inn fields
Winfield, John, Leeds, Restaurant Keeper. Dec 19 at 11 at offices of Carr, Albion street, Leeds
Winnall, John Edwin, Strand, Estate Agent. Dec 21 at 2 at 111, Chesapeake. Gill, Chesapeake
Wright, William, Nottingham, Watchmaker. Dec 12 at 12 at the Assembly Room, Nottingham. Fraser, Nottingham
Young John, Sunderland, Durham, Oil Merchant. Dec 22 at 12 at the Queen's Hotel, Sunderland. Steel, Sunderland